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City of Lake Oswego

City of Lake Oswego, Attention Iris McCaleb  
Community Development Dept.  
Planning Department, Third Floor  
380 A Avenue, PO Box 369  
Lake Oswego, OR 97034

Regarding: Ordinance 2666, LU 15-0017 – Substandard Lots

Dear Planning Commissioners:

I own two 5,000 square foot legal lots of record, 10,000 square feet in total. My house, which straddles both lots, was built in 1940. My wife and I purchased this property in 1994 as a home for our family and as an investment. As is the case with many people, our house and the property it sits on represents our greatest financial asset. While market forces determine the value of this asset, I have always felt secure in knowing that I had purchased two developable lots – one for each of my two children. Now I understand that that absolute certainly could be taken from me.

### **History**

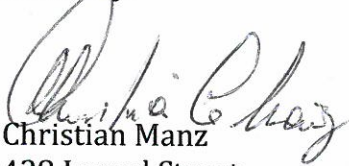
I have watched the development of 5,000 square foot legal lots of record over the years. Directly behind me, sat a small house that straddled two 5,000 square foot lots, 10,000 square feet in total, a situation identical to my lots. About 2007, on property behind me, the first lot was partially developed. There was a pre-application meeting as the builder wanted subterranean garages, but there were no lot line adjustments as it was recognized by the City of Lake Oswego that the legality of the lots was not in question. The then neighborhood association chair Debbie Craig, attended the pre-application meeting. The design plans were shared with neighbors. Two houses, one on each of the 5,000 square foot lots, were ultimately planned without the subterranean garages. The houses were not completed until 2011 for unknown reasons. More recently in 2014, the same situation occurred, this time on Laurel Street. One house straddling two 5,000 square foot lots, 10,000 square feet in total, was demolished and two houses were built. There were no lot line adjustments or variances, as the City acknowledged that each 5,000 square foot lot was a legal lot of record. Currently and again on Yates, a house that straddled two lots was demolished. In that case, there was a pre-application meeting as the builder wanted a variance of some kind as the total lot size was 13,000 square feet. A large house, nearly completed, sits on an 8,000 square foot lot and one will be built on the remaining 5,000 square foot lot.

The point is, that the redevelopment of this neighborhood has been going on for some time. Even though I am not currently interested in selling or developing my two lots, I should be able to retain the right to develop the two legal lots that I

purchased in 1994. If the legal definition of a lot is changed and I lose the right to develop both of my legal lots, I will be financially penalized. Should this change come to pass, it will be a blatant taking of my rights as a property owner. This taking does not consider those of us property owners who live and currently own these developable 5,000 square foot lots. Those of us who do not have the current desire, ways or means to develop our land will be penalized simply by not having done so earlier.

In closing, I would encourage you to reconsider the amendment to Ordinance 2666, LU 15-0017 – Substandard lots. When I purchased my property, my two lots, I did so with the knowledge that each lot consisted of a “unit of land created in compliance with all legal requirements in effect and applicable at the time of creation.” I would ask that you consider the potential negative financial impact of the proposed change of this amendment to my family.

Sincerely,



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