City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: December 4, 2012
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / Kate.Green@portlandoregon.gov

NOTICE OF A TYPE IIx PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 42 days, **we need to receive your written comments by 5 p.m. on January 3, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-160467 LDP, in your letter. It also is helpful to address your letter to me, Kate Green.

CASE FILE NUMBER: LU 12-160467 LDS

Applicant: Vlad Rudnitsky, Dilusso Homes LLC
PO Box 1251
Clackamas OR 97015

Property Owners: Roderick and Patricia Munro
3300 SW Ridgewood Avenue
Portland OR 97225

Representative: Danelle Isenhart, Emerio Design
6107 SW Murray Boulevard, Suite 147
Beaverton OR 97008

Site Address: 35 NE 55th Avenue
Legal Description: BLOCK 18 E 123' OF LOT 1, CENTER ADD
Tax Account No.: R145802190
State ID No.: 1N2E31DB 15600
Quarter Section: 3036

Neighborhood: North Tabor, contact Alison Gavine at 503-978-9183
Business District: None
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010

Zoning: Multi-Dwelling Residential (R2)

Case Type: Land Division-Subdivision (LDS)
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer

Proposal: The applicant proposes a **Land Division-Subdivision** to divide an 8,887 square foot property into 4 lots. An existing residential structure is proposed to be retained on Lot 1. Other

structures, including a garage and shed will be removed from the site. Lots 2, 3, and 4 are proposed be developed with single-dwelling residences.

Drywells are proposed to manage stormwater from new development on the lots. Utilities connections will be via existing public lines in NE 55th Avenue or NE Couch Street.

This subdivision proposal is reviewed through a Type IIx procedure because: (1) the site is in a residential zone; (2) four to ten dwelling units are proposed, not including accessory dwelling units (see 33.660.110).

For purposes of State Law, this land division is considered a subdivision. To subdivide land is to divide an area or tract of land into four or more lots within a calendar year, according to ORS 92.010. ORS 92.010 defines "lot" as a single unit of land created by a subdivision of land. The applicant's proposal is to create 4 units of land (4 lots). Therefore this land division is considered a subdivision.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of *Title 33*. The relevant criteria are found in **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones**.

Zoning Code Section *33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal or complete within 180 days. This application was submitted on September 6, 2012 and determined to be complete on **November 29, 2012.**

DECISION MAKING PROCESS: The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.ci.portland.or.us.

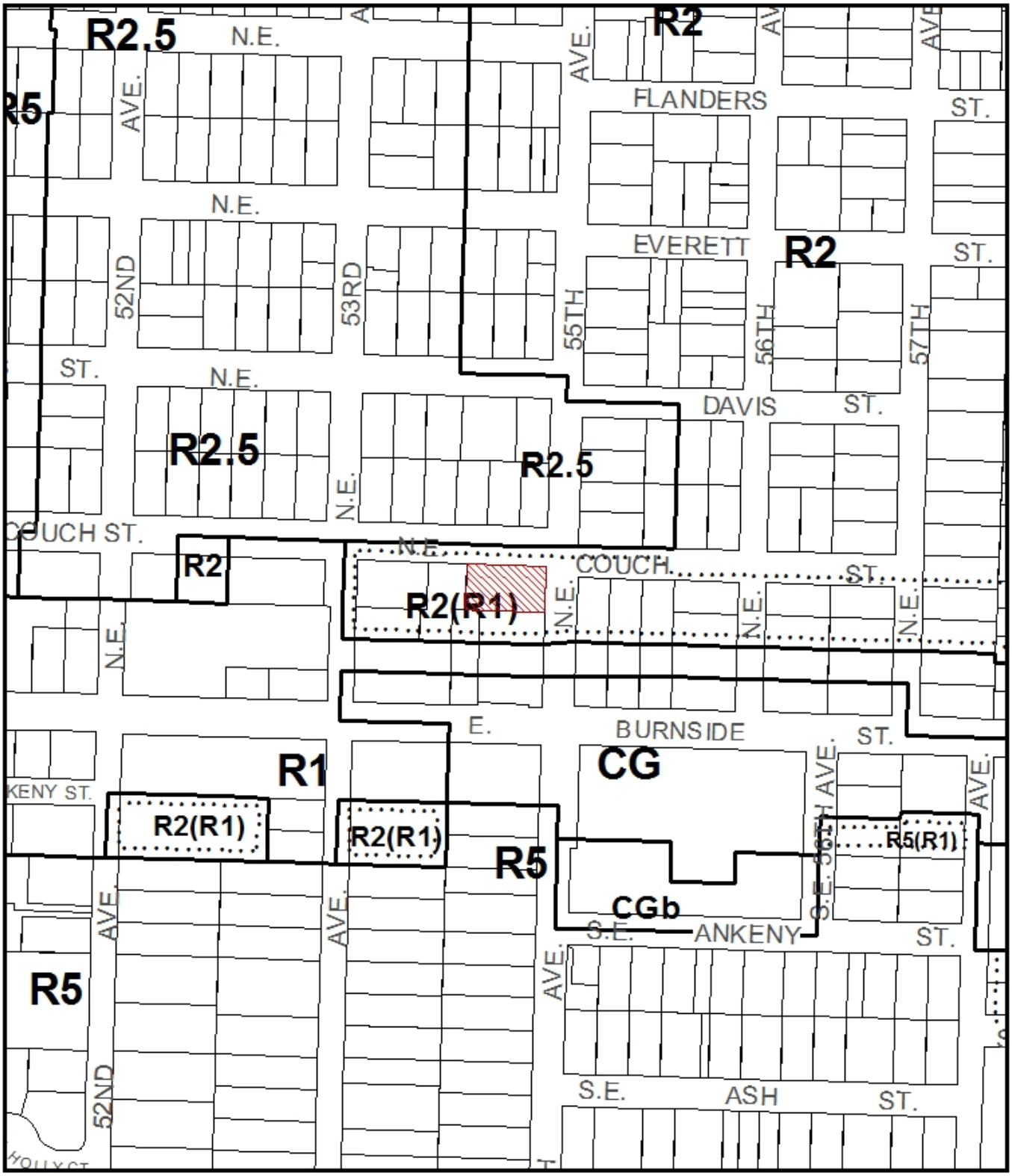
APPEAL PROCESS: If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

APPEAL OF THE FINAL CITY DECISION: After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol Street NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it that may also preclude an appeal to LUBA on that issue.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures: Zoning Map Existing Conditions Plan Preliminary Plat

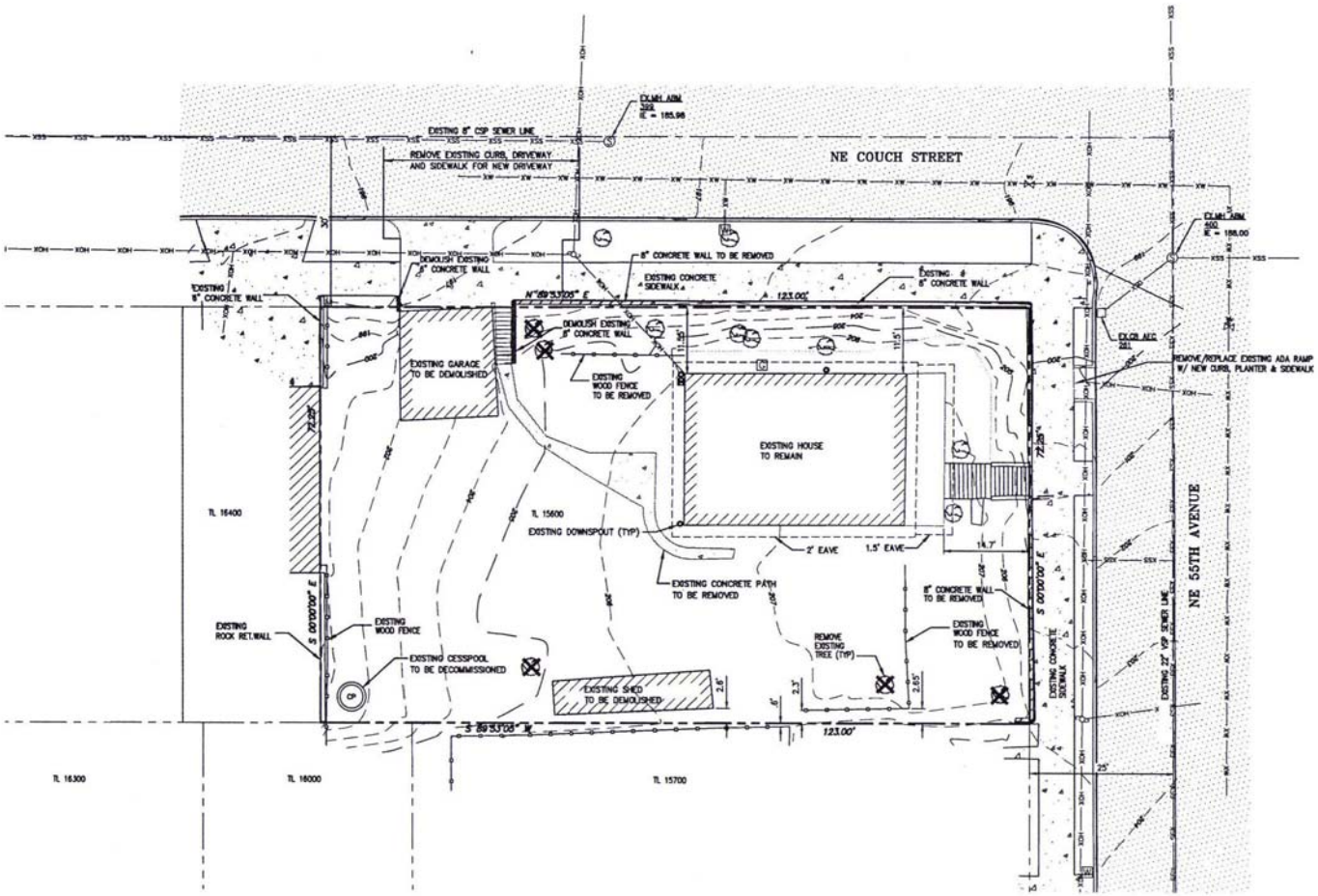


ZONING

Site

NORTH

File No.	LU 12-160467 LDP
1/4 Section	3036
Scale	1 inch = 200 feet
State_Id	1N2E31DB 15600
Exhibit	B (Jul 23,2012)



LEGEND

- BOUNDARY LINE
- ADJACENT/ADJOINING LOT LINE
- CENTER LINE ROW
- EXISTING 1' CONTOUR LINE
- EXISTING 5' CONTOUR LINE
- EXISTING DECIDUOUS TREE
- EXISTING STORM SEWER MANHOLE
- EXISTING SANITARY SEWER CLEANOUT
- EXISTING CATCH BASIN
- EXISTING SANITARY SEWER MANHOLE
- EXISTING WATER VALVE
- EXISTING WATER METER
- EXISTING FIRE HYDRANT
- EXISTING BOLLARD
- EXISTING GAS VALVE
- EXISTING GAS METER
- EXISTING SIGN
- EXISTING MAILBOX
- EXISTING UTILITY POLE
- EXISTING LIGHT POLE
- EXISTING UTILITY AND LIGHT POLE
- EXISTING GUY WIRE
- EXISTING OVERHEAD LINE
- EXISTING GAS LINE
- EXISTING SANITARY SEWER LINE
- EXISTING STORM DRAIN LINE
- EXISTING WATER LINE
- EXISTING FENCELINE

NEAREST FIRE HYDRANT AT SE CORNER OF NE 55TH AVENUE AND E BURNSIDE STREET.

35 NE 55TH AVENUE
TAX MAP T1N R2E 31DB
TAX LOT 15600
MULTNOMAH COUNTY, OREGON

EXISTING CONDITIONS

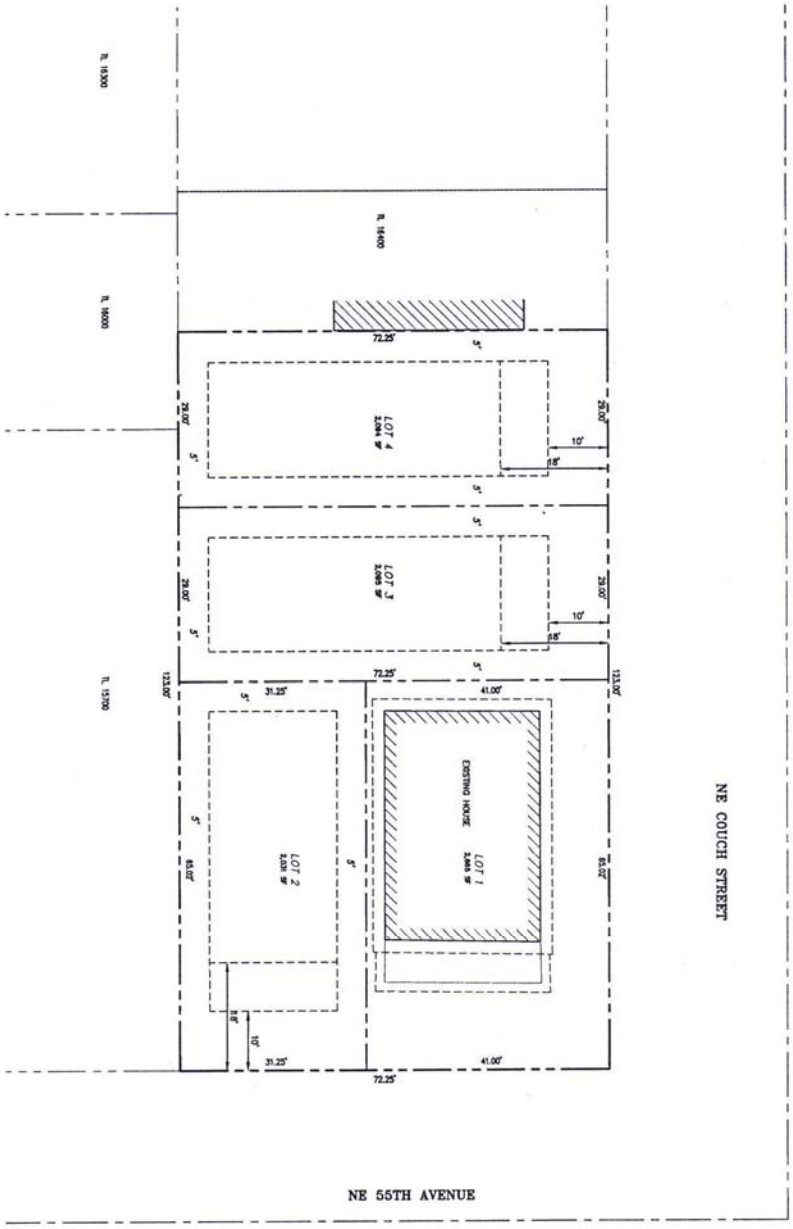
REVISIONS

NO.	DATE	DESCRIPTION

EMERIO Designs
6107 SW MURRAY BLVD. SUITE 147
BEAVERTON, OREGON 97008
PH: (503) 515-5528

LU12-160467

LU 12-160467



LEGEND

PROPERTY LINE
ADJACENT/ADJOINING LOT LINE
EXISTING LINE ROW
SET BACK LINE

SCALE: 1" = 10'

SHEET 3 OF 5		EMERIO Design 6107 SW MURRAY BLVD. SUITE 147 BEAVERTON, OREGON 97008 PH: (503) 515-5528	REVISIONS NO. DATE DESCRIPTION	PRELIMINARY PLAT	35 NE 55TH AVENUE TAX MAP T1N R2E 31DB TAX LOT 15600 MULTNOMAH COUNTY, OREGON

ESIGN STAFF, Plotted: Nov 20, 2012 - 2:46pm, P:\190-009 55th\dwg\Plan\190-009_03plot.dwg