



City of Portland  
**Bureau of Development Services**  
Land Use Services Division

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Portland, Oregon 97201  
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[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** September 8, 2008  
**To:** Interested Person  
**From:** Ronda Fast, Land Use Services  
(503) 823-7839 / [FastR@ci.portland.or.us](mailto:FastR@ci.portland.or.us)

## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 08-126581 AD**

#### **GENERAL INFORMATION**

**Applicant/Owner:** Stefee & Michael Knudsen  
5571 SE Oak Street  
Portland, OR 97215

**Site Address:** 2014 SE 44<sup>th</sup> Avenue

**Legal Description:** BLOCK 6 and TL 25701, FAILING ADD  
**Tax Account No.:** R264100890  
**State ID No.:** 1S2E06CB 25701  
**Quarter Section:** 3235

**Neighborhood:** Richmond, Douglas Klotz at 503-233-9161.  
**Business District:** Division-Clinton Business Association, Nancy Chapin at 503-774-2832.  
**District Coalition:** Southeast Uplift, Gary Berger at 503-232-0010.  
**Zoning:** R5, Single-Dwelling Residential 5,000

**Case Type:** AD, Adjustment Review  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

#### **Proposal:**

The applicant is proposing to build a new single-dwelling residence on an irregularly shaped lot that was confirmed through the Lot Confirmation/Property Line Adjustment process last year. The site is a corner lot. The Zoning Code defines the front property line on a corner as the shorter of the two lot lines abutting a street. Therefore, for this site, the front property line is adjacent to SE Harrison Street; the side property line is adjacent to SE 44<sup>th</sup> Avenue. The main entrance and front orientation of the proposed house will face SE 44<sup>th</sup> Avenue, which is the side property line. As a result, the side of the house will be adjacent to the front property line. In the R5 zone, a 10-foot setback is required along the front (SE Harrison) and a 5-foot setback is required on the side and rear property lines. Eaves are allowed to project 20% into a required setback by right.

The new residence is a two-story home with a partially buried basement and garage. As proposed, the building wall encroaches into the front setback. The applicant is requesting an Adjustment to Zoning Code Section 33.110.220 to reduce the front setback to 5 feet to the building wall, and 4 feet for the eaves, rather than 10 feet.

The project includes a partially below-grade single-car garage accessed from SE 44<sup>th</sup> Avenue. In order to meet the required 18-foot garage entrance setback, and provide enough room in the garage to accommodate a car, the rear wall of the garage will be located on the east property line. The attached south elevation depicts the configuration. Therefore, the applicants also request a side setback Adjustment to allow the partially below grade garage to be 0 feet from a side lot line rather than 5 feet (33.110.220).

Along the east property line, a deck and trellis is proposed on top of the garage and extends into the side setback to the east property line. Uncovered horizontal structures, such as decks, that are less than 2 ½ feet above the ground are allowed in all building setbacks. However, there are areas where the deck will be more than 2 ½ feet above the ground and therefore an Adjustment is required to allow the deck to be entirely within the side (east) setback. The proposed trellis will be approximately 7 feet high and span 12' 6" along the top of the garage along the east property line. Vertical accessory structures, such as trellises, are allowed in a setback if they are no larger than 3 feet in width, depth, or diameter and no taller than 8 feet (33.110.250.C.2). The proposed trellis will be 3 feet deep but 12' 6" wide. Therefore, the applicants are also requesting an Adjustment to allow the deck and trellis in the side setback.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the Adjustment Review approval criteria of Chapter 33.805.040.A-F of the Portland Zoning Code.

## ANALYSIS

**Site and Vicinity:** The site is a vacant lot that was created through the Lot Confirmation/Property Line Adjustment process last year. The lot is irregularly shaped with an indentation along the east property line. The lot is relatively flat but slopes up slightly from the sidewalk. The area is developed predominately with detached single-dwelling residences built in the bungalow style. At the east end of the block, at the south west corner of SE 45<sup>th</sup> & Harrison, there is a set of recently-built attached houses. Additionally, the lot adjacent to the site to the east is developed with a 1950's ranch-style home with a garage located 5 feet from the mutual property line and adjacent to the indentation of the east property line of the subject lot. This is also the area where the deck and 12'-6" wide trellis will be located on the east property line.

**Zoning:** The zoning is R5, a Single Dwelling Residential zone, with a maximum density of 1 unit per 5,000 square feet. Lot sizes generally range between 3,000 and 8,500 square feet. In this situation, the site was composed of an intact platted lot and a lot of record. The lot of record was re-established and rotated 90 degrees via a Lot Confirmation/Property Line Adjustment. Through that process, a 3,001 square-foot buildable lot was confirmed.

**Land Use History:** Records indicate the following previous City land use reviews for this site:

- CU 053-82: Approval with conditions in 1982 to re-establish a non-conforming use.  
*Staff Note: There is no longer a non-conforming use on the site. The building that contained the non-conforming use was demolished in 1987. This decision and the conditions are no longer applicable.*

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **June 11, 2008**. The following Bureaus have responded with no issues or concerns:

- Portland Office of Transportation
- Water Bureau

- Fire Bureau
- Urban Forestry/Parks

The Bureau of Development Services/Site Development Section requested more information regarding feasibility of on-site treatment of stormwater during the review. The applicant supplied information regarding the feasibility of on-site stormwater detention and treatment, received plumbing code approval for an appeal to setbacks for the infiltration planter, and thus verified the ability to comply with the requirements of the Stormwater Management Manual.

The Bureau of Environmental Services responded with comments similar to those of Site Development. They noted that the requirements of the Stormwater Management Manual must be met at time of permit review. BES could not support the Adjustment without results from infiltration testing which were subsequently submitted. A plumbing code appeal was granted to allow stormwater planters in the locations shown on the site plan.

The Bureau of Development Services/Life Safety Section responded with comments related to permit review. Specifically, building walls closer than 3 feet from a property line must be 1-hour fire rated with no openings allowed.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on June 11, 2008. Three letters were received from area property owners in opposition to the proposal:

One letter, from a neighbor across SE 44<sup>th</sup> Avenue, commented in opposition to allowing a reduced front setback citing concerns with a design that is out of character with the neighborhood and the size.

Another letter, also from a neighbor across SE 44<sup>th</sup> Avenue, provided comments in opposition to the reduced front setback citing concerns with a design that is inconsistent with the neighborhood, noted a reduction in front yard space, cited concerns with a tall uniform façade so close to the sidewalk, and the size.

The third letter stated agreement with the second letter, above.

*Staff Note: Responses to the comments received are incorporated in the findings, below. No comments were received in opposition to the side setback adjustment request.*

## ZONING CODE APPROVAL CRITERIA

### 33.805.010 Purpose (Adjustments)

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

### 33.805.040 Adjustment Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. stated below have been met. The relevant criteria are:

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

**33.110.220.A Setbacks – Purpose.**

*The setback regulations for buildings and garage entrances serve several purposes:*

- *They maintain light, air, separation for fire protection, and access for fire fighting;*

- They reflect the general building scale and placement of houses in the city's neighborhoods;
- They promote a reasonable physical relationship between residences;
- They promote options for privacy for neighboring properties;
- They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;
- They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and
- They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

**Findings:** Adjustment #1: Front building setback along SE Harrison Street

The new home will be oriented towards SE 44<sup>th</sup>, which is technically the side lot line. More than the minimum required 5 foot setback is provided along portions of this frontage. This façade also functions more like a front yard and is the longer of the two frontages.

Along the SE 44<sup>th</sup> Avenue frontage, most of the building will be located 10 feet or more from the side/street property line. On the main floor, for instance, the total façade length is 53.5 feet and over 85% of the main floor wall is 10 feet or more from the side property line. On the upper floor, 60% of the total façade length is 10 feet or more from the side property line and the building never extends closer than 8 feet to the side property line along SE 44<sup>th</sup> Avenue. Consequently, more *total* open yard area is provided by orienting the home towards the SE 44<sup>th</sup> Avenue façade, as designed.

Since the reduced setback is requested along a street adequate separation is maintained for light, air, and fire access. Additionally, the Fire Bureau responded with no concerns with either of the requested Adjustments.

Along SE 44<sup>th</sup> Avenue, to the south and west of the site, there are buildings that are located within the front setback, closer than 10 feet to the front property line. Covered front porches extend into the front setback and range between 7 feet and 2 feet from a front property line. The proposed 27-foot long wall along SE Harrison provides variation, large windows, and an additional side door into a mudroom on the street level.

Similarly, along SE Harrison Street, there are examples of development within the front setback, especially on the north side of the street between SE 45<sup>th</sup> and SE 46<sup>th</sup> Avenue. There are many examples of homes on corner lots with main entrances facing the side property lines as well.

A reduced setback for the building and the eave along the front lot line will not impact privacy options for neighboring properties since the reduction will be along the SE Harrison Street frontage. While promoting architectural diversity, the design includes elements consistent with the character of the neighborhood, such as a covered front porch, horizontal wood siding, and wood windows. Therefore, this criterion is met.

Adjustment #2: Side building setback for partially below-grade garage

The partially below-grade garage, deck and trellis are proposed to be along the east property line. An approximately 3-foot high portion of the wall of the garage will be above grade facing the side property line, allowing more opportunity for light, air, and separation for fire protection than if the wall were fully above grade. The garage wall is proposed to be approximately 5 feet from the existing neighbor's garage, which allows a reasonable amount of separation to access the existing garage on the neighbor's property. Allowing the partially below-grade garage closer to the lot line will allow room to accommodate an on-site parking space with no foreseeable impacts and reflects the general placement of garages within the side setback throughout the neighborhood and the city in general.

Adjustment #3: Side building setback for vertical structure (trellis) and uncovered horizontal structure (deck)

This section regulates structures that are incidental to primary buildings to prevent them from becoming the predominant element of the site. The standards provide for necessary access around structures, help maintain privacy to abutting lots, and maintain open front setbacks.

The uncovered deck and trellis are incidental structures to primary buildings. The deck serves as additional open space on the site, and with the trellis, provides options for additional privacy between properties and will not have any greater impact than a detached garage, allowed in the setback. The garage wall, trellis, and deck are proposed to be approximately 5 feet from the existing neighbor's garage at the closest point, which allows a reasonable amount of separation to access the side of the existing garage on the neighbor's property. Additionally, building code requirements for fire separation will be met at time of permit review.

Therefore, this criterion is met.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

**Findings:** The reduced front setback and side setback will not have any impacts on livability or appearance of the residential area. The building façade along SE Harrison Street provides articulation in the wall and visual connections between the living area and the street. The design of the house also incorporates quality materials and promotes architectural diversity in the residential area. Therefore, this criterion is met.

- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

**Findings:** The purpose of the R5 zone is to provide opportunities for single-dwelling residential development. Accommodating the reverse orientation of the house towards SE 44<sup>th</sup> Avenue and treating SE Harrison property line as the side and allowing the garage/deck/trellis in the setback is consistent with the purpose of the zone which is to provide housing opportunities for single-dwelling households.

- E.** Any impacts resulting from the adjustment are mitigated to the extent practical;

**Findings:** Articulation provided in the wall facing SE Harrison Street, windows, and the side door provide a visual connection between the living area and the street. The reduced setback request is not uncharacteristic of existing development in the neighborhood and will therefore not adversely impact the surrounding neighborhood. The proposed 2-story house (with a basement) is approximately 25 feet tall – lower than the 30-foot height limit and is not out of character with the height of existing development in the vicinity of the site. Additionally, no impacts are anticipated from the partially below-grade garage with a deck and trellis above. Therefore, no impacts are expected as a result from the approval of the requested adjustments and no mitigation is required. This criterion is met.

## **DEVELOPMENT STANDARDS**

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## **CONCLUSIONS**

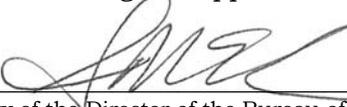
All of the approval criteria have been met for the requested Adjustments. The design incorporates an adequate amount of open area and yard space on the lot. The design of the

house incorporates quality materials and promotes architectural diversity. Visual connections between the living area and the street are integral parts of the project design. The design also allows for an on-site parking space and maintains privacy options. For these reasons, the Adjustments should be approved.

## ADMINISTRATIVE DECISION

Approval of Adjustments to: (1). Reduce the front building setback (33.110.220) from 10 feet to 5 feet to the building wall and 4 feet to the eaves along SE Harrison, (2). reduce the side setback from 5 feet to 0 feet for a partially below-grade garage, and (3) to reduce the side setback from 5 feet to 0 feet for a vertical structure (trellis) and an uncovered horizontal structure (deck), per the approved plans, Exhibits C-1 through C-5, signed and dated September 8, 2008, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-126581 AD."

Decision rendered by:  on September 8, 2008.  
By authority of the Director of the Bureau of Development Services

**Decision mailed: September 8, 2008**  
**Staff Planner: Ronda Fast**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on May 2, 2008, and was determined to be complete on June 11, 2008.

*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. Therefore this application was reviewed against the Zoning Code in effect on May 2, 2008.

*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. In this case, the applicant extended the 120-day review period for 60 days (Exhibit G-3).

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on September 22, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 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.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, the final decision may be recorded on or after **September 23, 2008 – (the day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.

- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Front Elevation (attached)
  - 3. Side/SE 44<sup>th</sup> Elevation (attached)
  - 4. Rear Elevation (attached)
  - 5. Side Elevation (attached)
  - 6. East-West Building Section
  - 7. Basement Floor Plan
  - 8. First Floor Plan
  - 9. Second Floor Plan
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Site Development Review Section of BDS
  - 3. Life Safety/Plans Examiner Section of BDS
  - 4. Bureau of Transportation Engineering and Development Review
  - 5. Water Bureau
  - 6. Fire Bureau
  - 7. Bureau of Parks, Forestry Division
- F. Correspondence:
  - 1. Lou Savage, 7/2/08, comments in opposition regarding the scale and "out-of-character" design.

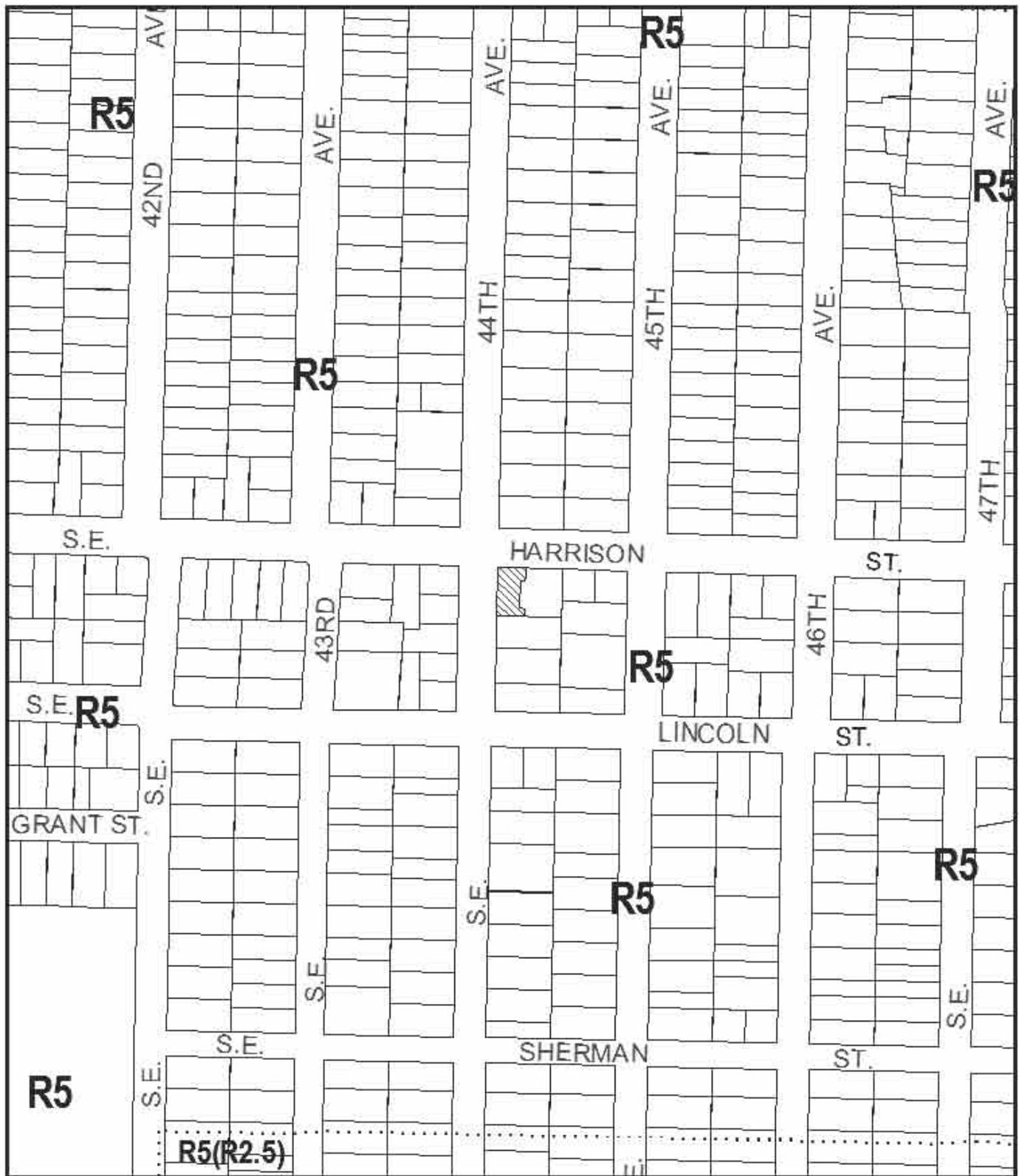
2. Brent Foster, 7/2/08, comments in opposition regarding the inconsistent design, lack of variation in the front facade, lack of mitigation.

3. Heather Butler, 7/2/08, comments in agreement with Brent Foster's letter (see above).

G. Other:

1. Original LU Application
2. Site History Research
3. 120-day extension request

**The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).**



# ZONING

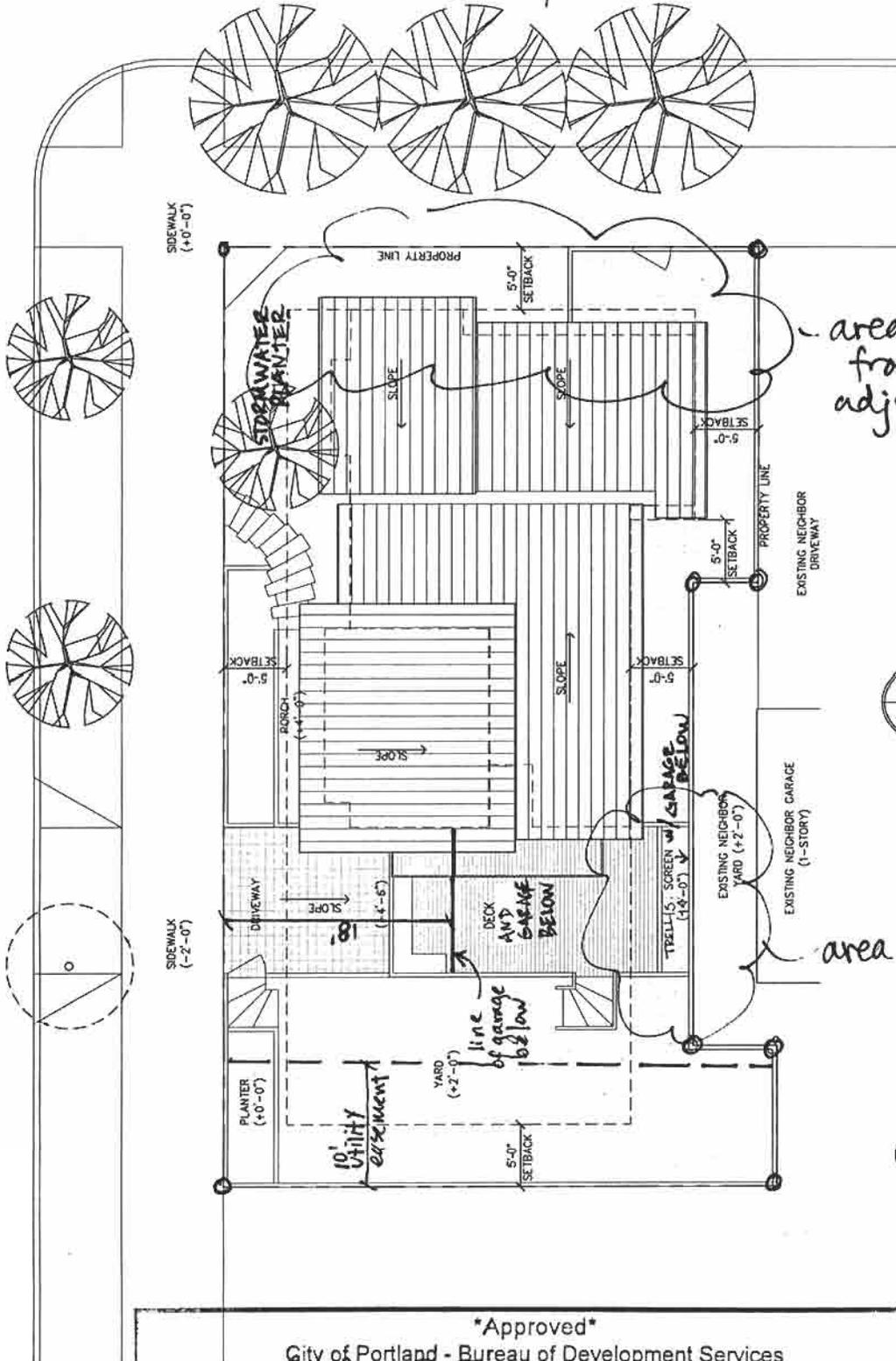
 Site



File No.	<u>LU 08-126581 AD</u>
1/4 Section	<u>3235</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1S2E06CB 25701</u>
Exhibit	<u>B</u> (May 13,2008)

SE Harrison Street

SE 144th Avenue



area of front setback adjustment ①

area of side setback adjustment ② ③

⊕  
SITE PLAN  
SCALE: 1/8" = 1'-0"

\*Approved\*

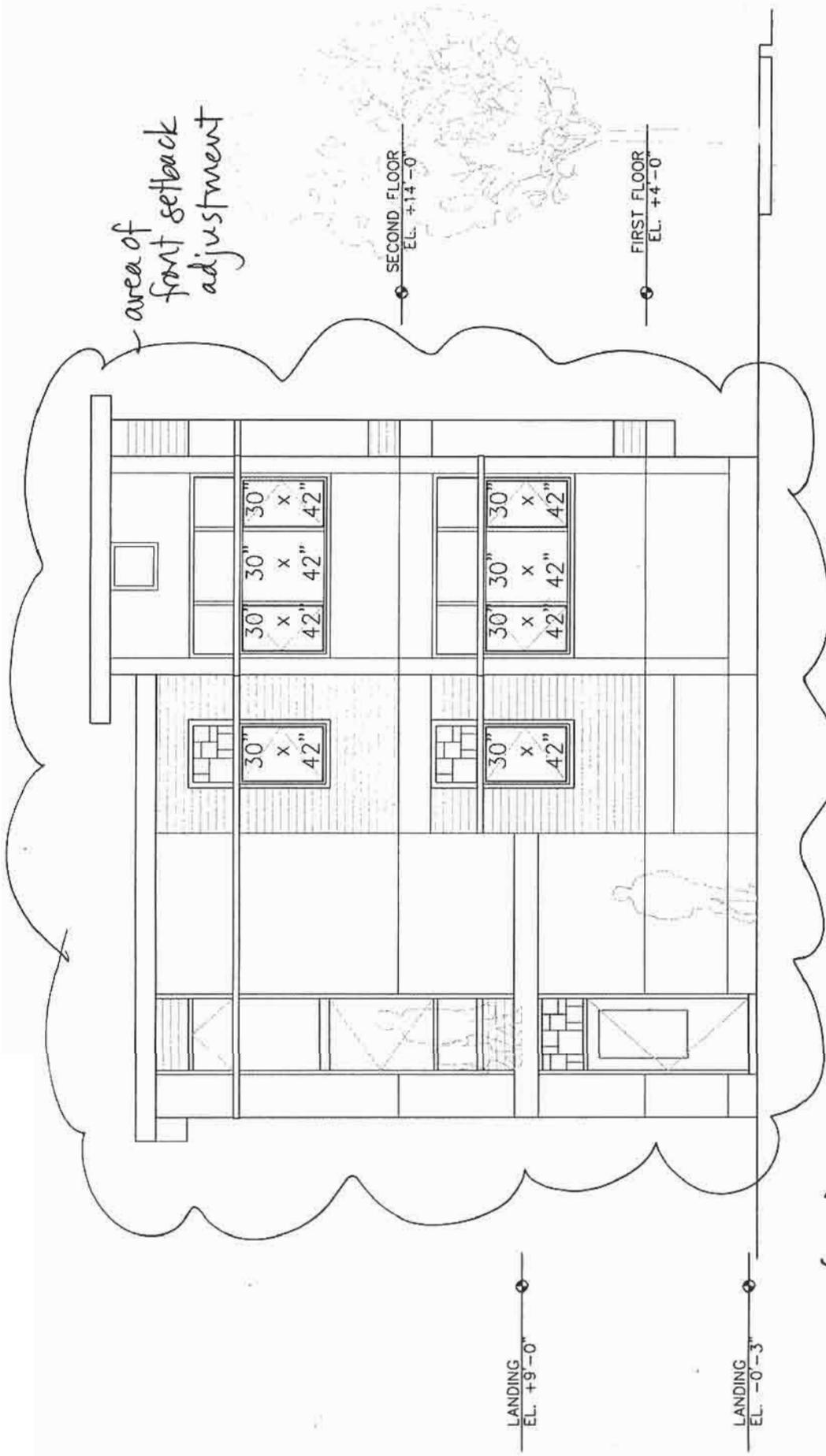
City of Portland - Bureau of Development Services

Planner Rande Ford Date 9/8/08

\* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning review may be required.

Exhibit C.1

LU 08-126581 AD



area of front setback adjustment

LANDING  
EL. +9'-0"

LANDING  
EL. -0'-3"

SECOND FLOOR  
EL. +14'-0"

FIRST FLOOR  
EL. +4'-0"

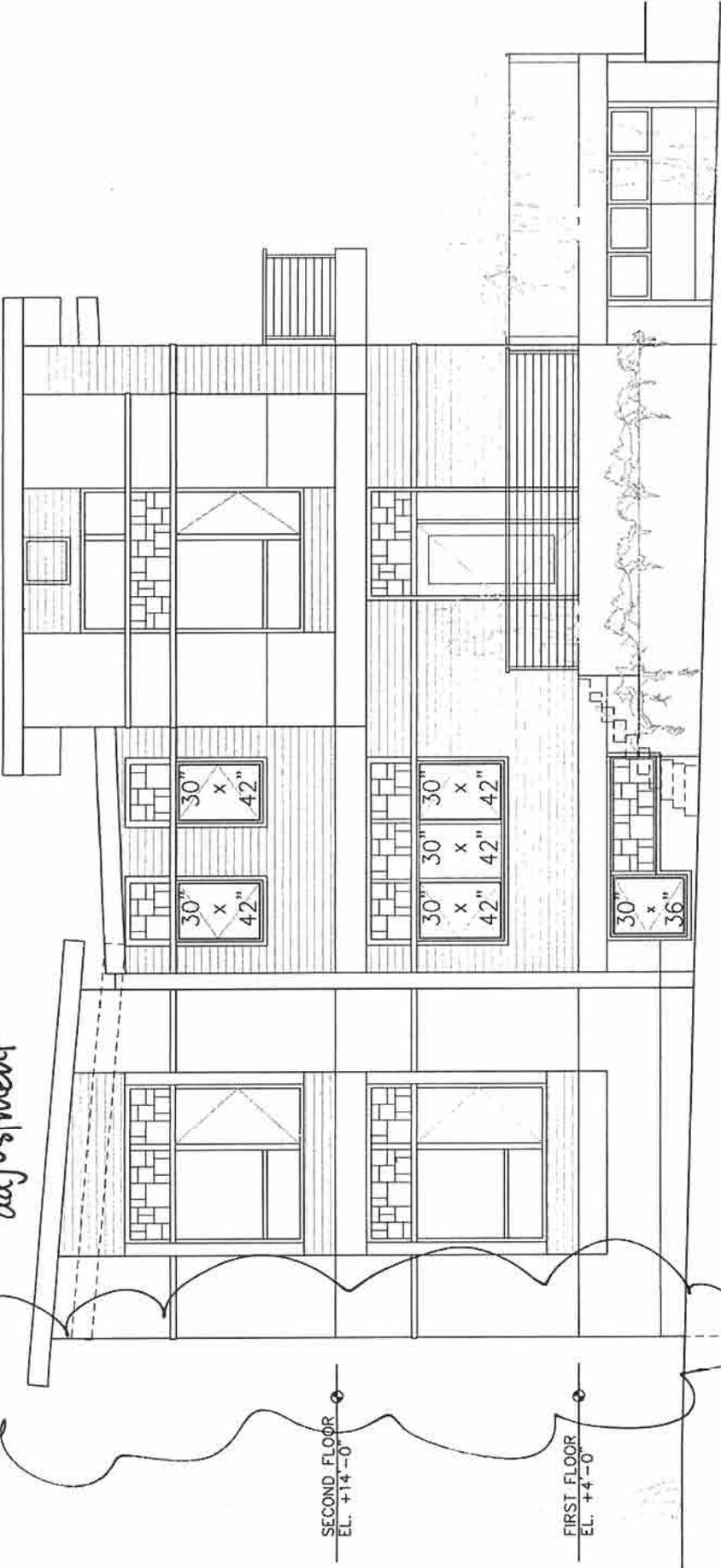
(front) SE Harrison street  
1 ELEVATION - NORTH  
A3.2 SCALE: 1/4" = 1'-0"

\*Approved\*  
City of Portland - Bureau of Development Services  
Planner: Runde Date 9/10/08  
# This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

Exhib: TC.2

LU 08 -126581 AD

- area of front setback adjustment



\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner Paula Frost Date 9/8/08  
 \* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

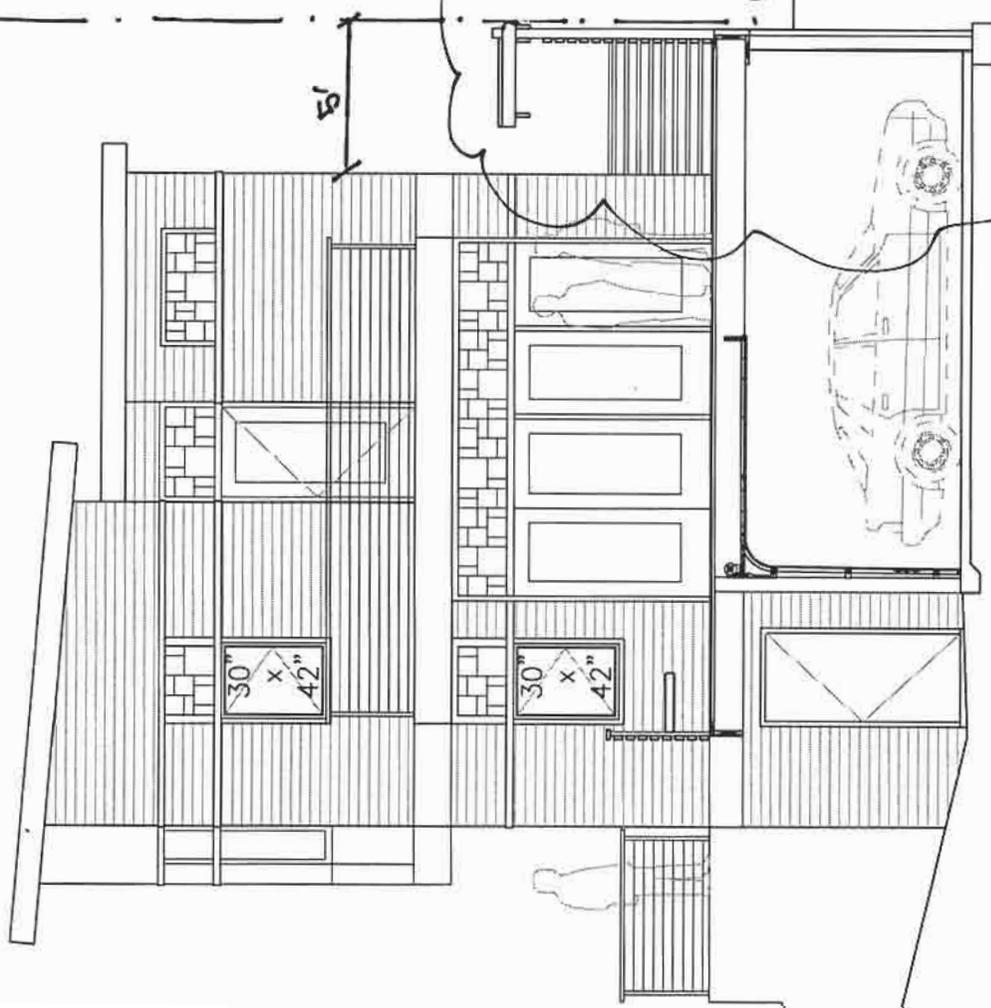
2 ELEVATION - WEST (side) SE 44<sup>th</sup> AVENUE  
 A32 SCALE: 1/4" = 1'-0"

← property line

area of setback adjustment

neighbors garage

← grade



SECOND FLOOR  
EL. +14'-0"

FIRST FLOOR  
EL. +4'-0"

BASEMENT  
EL. -4'-6"

1 ELEVATION - SOUTH  
A31 SCALE: 1/4" = 1'-0"

\*Approved\*

City of Portland Bureau of Development Services

Date 9/8/08

Paula Ford

This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

Exhibit C4

LU 08-126581 AD

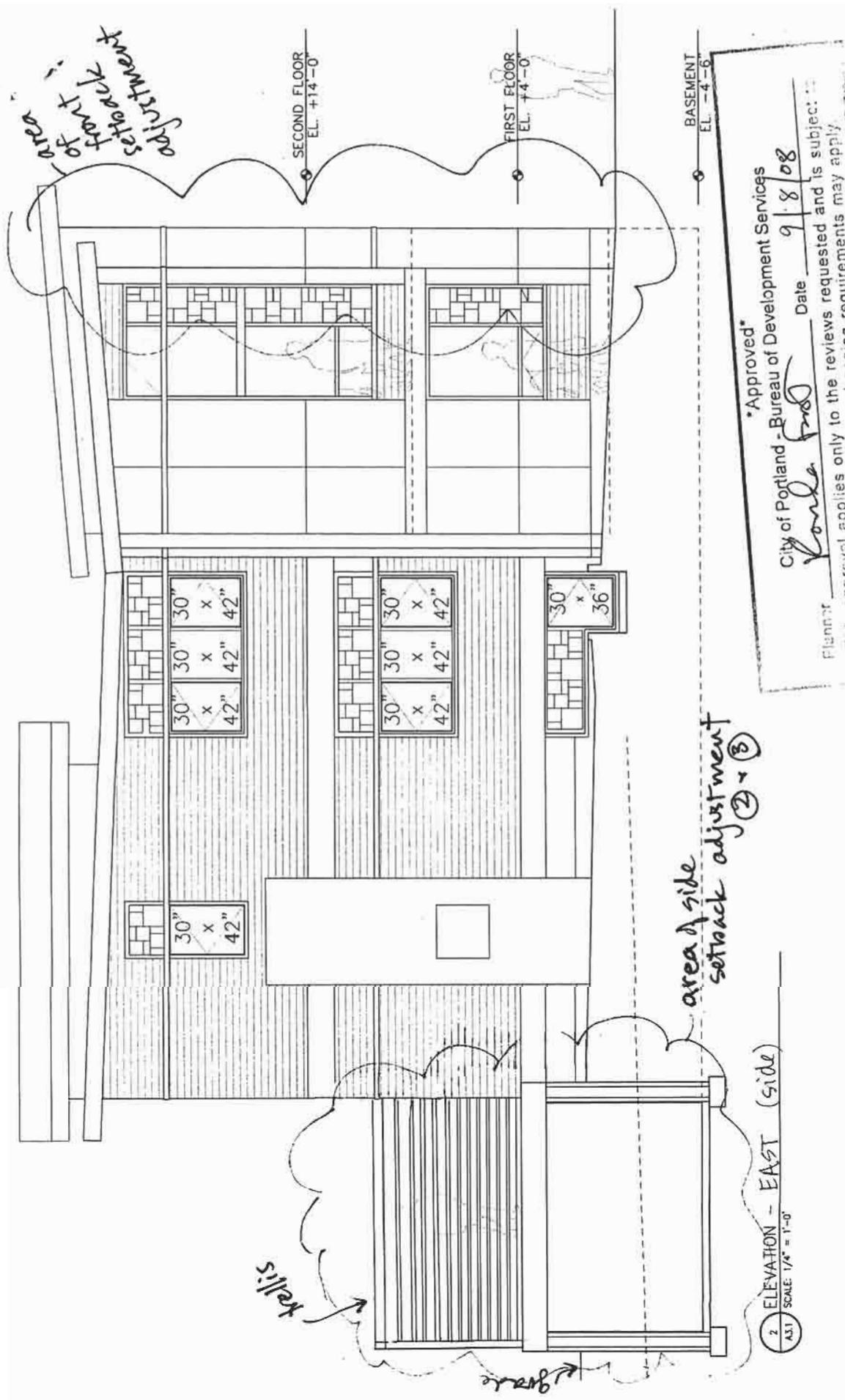


Exhibit C5

LU 08-126581 AD