



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

1900 SW 4th Avenue, Suite 5000  
Portland, Oregon 97201  
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Fax 503-823-5630  
TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** March 25, 2011  
**To:** Interested Person  
**From:** Sue Donaldson, Land Use Services  
503-823-7618 / [Sue.Donaldson@portlandoregon.gov](mailto:Sue.Donaldson@portlandoregon.gov)

## **NOTICE OF A TYPE I 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 45 days, **we need to receive your written comments by 5 p.m. on April 25, 2011**. Please mail or deliver your comments to the address above, and include the Case File Number, **LU 10-202864 LDP**, in your letter. It also is helpful to address your letter to me, Sue Donaldson.

### **CASE FILE NUMBER: LU 10-202864 LDP**

**Applicant:** Jarod Jamison,  
621 High St  
Oregon City, OR 97045

Jeff Divers,  
Vivid Properties  
PO Box 404  
West Linn, OR 97068

**Representative:** Damir Karin,  
12259 SE Greiner Ln  
Portland, OR 97236-6260

John Mccoy,  
Ferguson Land Surveying  
646 SE 106th Ave  
Portland OR 97216

**Site Address:** 4327 SE 37TH AVE

**Legal Description:** BLOCK 1 EXC S 35' OF E 95' E 124' OF S 104.50' OF LOT 3, WILLIAMS  
ADD 2

**Tax Account No.:** R916100030

**State ID No.:** 1S1E12DD 18700

**Quarter Section:** 3434

**Neighborhood:** Creston-Kenilworth, contact James McConnell at 503-572-4762.

**Business District:** Greater Brooklyn, contact David Weislogel at 503-239-9050.

**District Coalition:** Southeast Uplift, contact Leah Hyman at 503-232-0010.

**Plan District:** None

**Zoning:** R2.5 Single dwelling Residential 2500  
**Case Type:** LDP Land Division Partition  
**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

Applicant proposes to divide a 9,633 square foot lot into two parcels. The existing house will remain on Parcel 1, which is a flag lot. The *pole* portion of the lot will be 14 feet wide and 50 feet wide (700 square feet). The *flag* portion of the lot will be 6,158 square feet. Parcel 2 will be 2,775 square feet, 55.5 feet wide and 50 feet deep. Three trees on the site will be protected, in order to meet the requirement to save at least 35% of the total tree diameter inches on the site.

This partition is reviewed through a Type I land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment or Environmental Review) are requested or required (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create two units of land. Therefore this land division is considered a partition.

**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 December 21, 2010 and determined to be complete on **March 23, 2011**.

**DECISION MAKING PROCESS**

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

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

**We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201.** There will be no public hearing.

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.

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. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at [www.portlandonline.com](http://www.portlandonline.com).

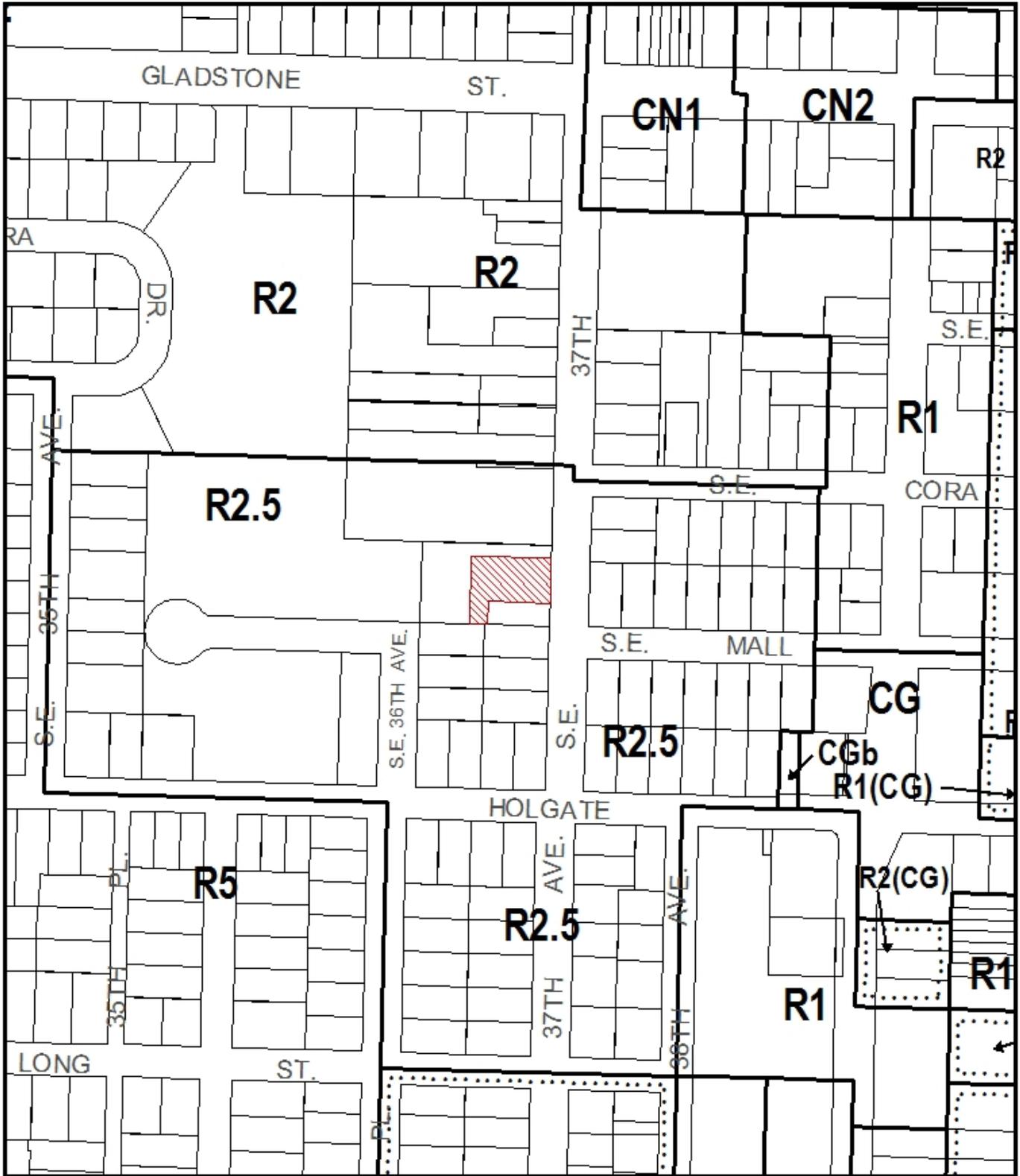
ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may 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  
Site Plan



# ZONING

 Site



File No.	<u>LU 10-202864 LDP</u>
1/4 Section	<u>3434</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E12DD 18700</u>
Exhibit	<u>B (Dec 27, 2010)</u>

CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON  
 DATE: DECEMBER 15, 2010

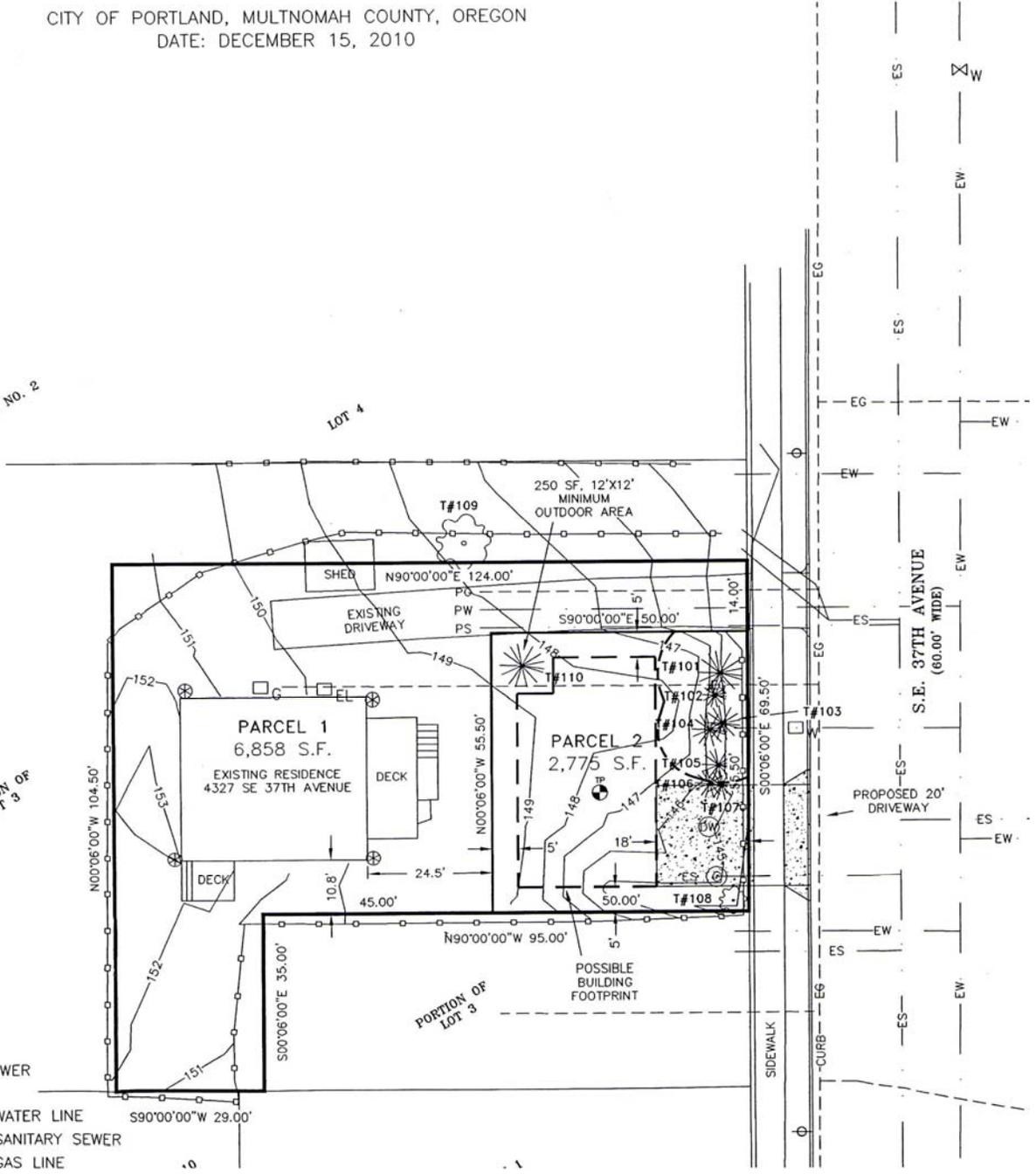
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

12/15/2010

OREGON  
 JULY 13, 1999  
 JOHN A. McCOY  
 54857

RENEWAL DATE 12/31/12

BLOCK 1,  
 WILLIAMS ADDITION NO. 2



SYMBOLS

- ⊕ = POWER POLE
- EL = ELECTRIC BOX
- W = WATER METER
- G = GAS METER
- ⊗ = MANHOLE
- EW — = WATER LINE
- ES — = SANITARY SEWER
- EG — = GAS LINE
- PW — = PROPOSED WATER LINE
- PS — = PROPOSED SANITARY SEWER
- PG — = PROPOSED GAS LINE