



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: October 31, 2011
To: Interested Person
From: Sue Donaldson, Land Use Services
503-823-7618 / 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 November 30, 2011.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 11-173009 LDP, in your letter. It also is helpful to address your letter to me, Sue Donaldson.

CASE FILE NUMBER: LU 11-173009 LDP

Applicant: Daniel R Garriott,
3305 SE 25th Ave
Portland, OR 97202-2121

Representative: Michael Manwell,
Michael Manwell Surveying
2847 SE 18th Cir
Gresham, OR 97080

Site Address: 3305 SE 25TH AVE

Legal Description: BLOCK 3 LOT 5, BRUSHES ADD
Tax Account No.: R112000140
State ID No.: 1S1E11AD 05600
Quarter Section: 3322

Neighborhood: Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.
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 2,500
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 5,000 square foot corner lot into two parcels. The existing house on the site will remain on Parcel 2, which will be 2,850 square feet. A single dwelling unit is proposed for Parcel 1, which will be 2,200 square feet. A drywell is proposed on Parcel 1 for stormwater management purposes.

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, Design Review, 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 2 units of land (2 lots and no tracts). 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 approval criteria are: **33.660.120 Approval Criteria of 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 1, 2011 and determined to be complete on October 27, 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.

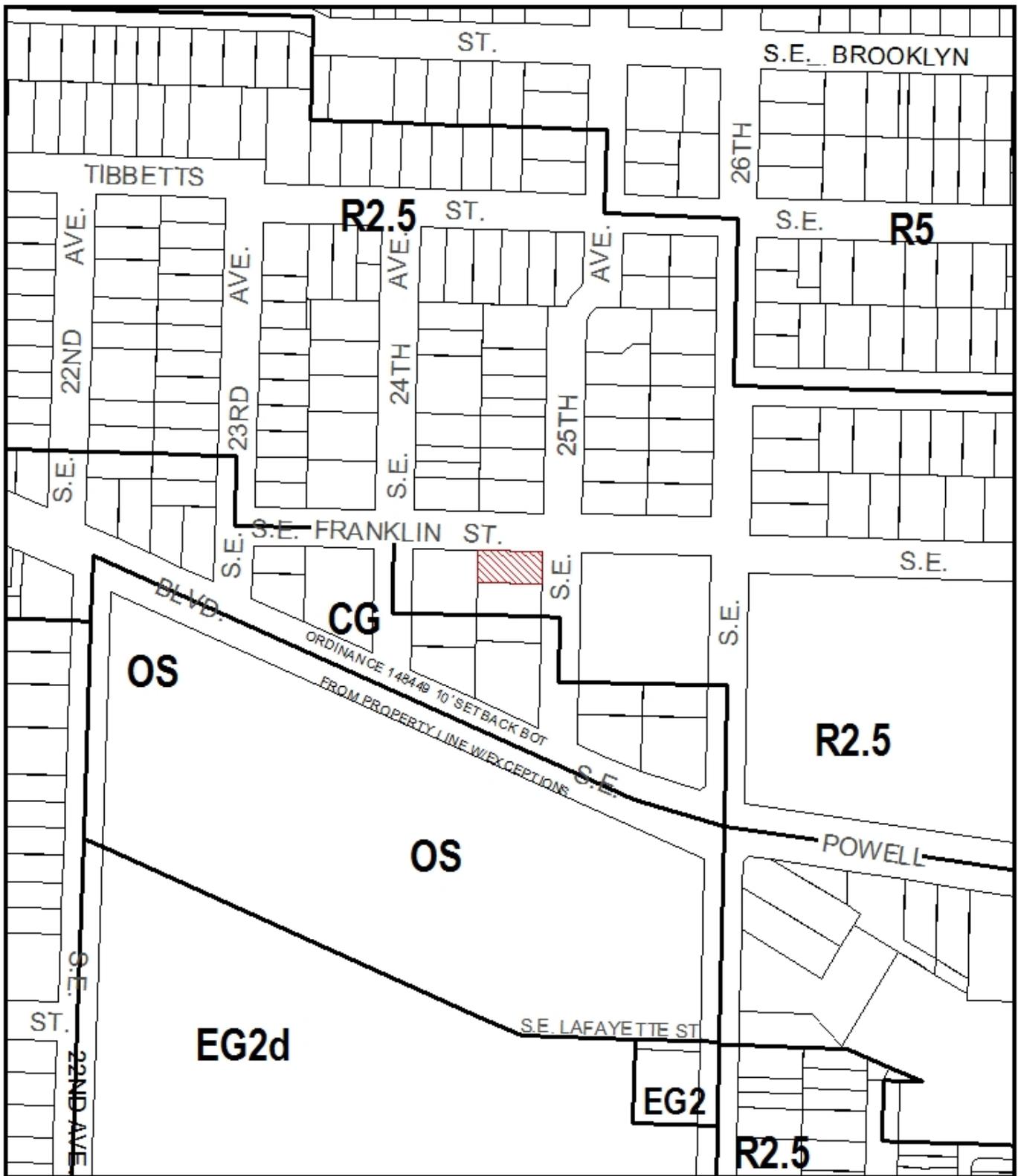
ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

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



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|-------------|-------------------|
| File No. | LU 11-173009 LDP |
| 1/4 Section | 3332,3333 |
| Scale | 1 inch = 200 feet |
| State_Id | 1S1E11AD 5600 |
| Exhibit | B (Sep 06,2011) |

