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: February 3, 2012

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 March 5, 2012.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 11-196235 LDP, in your letter. It also is helpful to address your letter to me, Sue Donaldson.

CASE FILE NUMBER: LU 11-196235 LDP

Applicant: Kevin Hayes,
736 NE Killingsworth Ct
Portland OR 97221

Representative: Kiera Rouissi,
Jdl Development
117 NW Trinity Place #32
Portland OR 97209

Site Address: 736 NE KILLINGSWORTH CT

Legal Description: BLOCK 5 LOT 10, WAITS CLOVERDALE ANX
Tax Account No.: R872000970
State ID No.: 1N1E23BB 06600
Quarter Section: 2531
Neighborhood: King, contact Trace Salmon at 503-460-2756.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.
District Coalition: Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-823-4575.

Plan District: None

Zoning: R2a Low Density Multi-dwelling Residential 2,000 with Alternative Design Density (a) Overlay
Case Type: LDP Land Division Partion
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes to divide a 5,202 square-foot through lot on a corner into two parcels. The lot is 40 feet wide and 130 feet deep. Parcel 1, where the existing house will remain, will be 2,201 square feet. Parcel 2 will be 3,001 square feet. Development for Parcel 2 has not been proposed. The one non-exempt tree on the site will be removed. Replanting three trees is proposed as mitigation.

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 with a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (*such as an Adjustment or Design 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 (parcels) of land. Therefore this land division is considered to be 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 found in ***Section 33.660.120 Approval Criteria for Land Divisions in Residential and Open Space 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 November 23, 2011 and determined to be complete on February 1, 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; or
- 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.

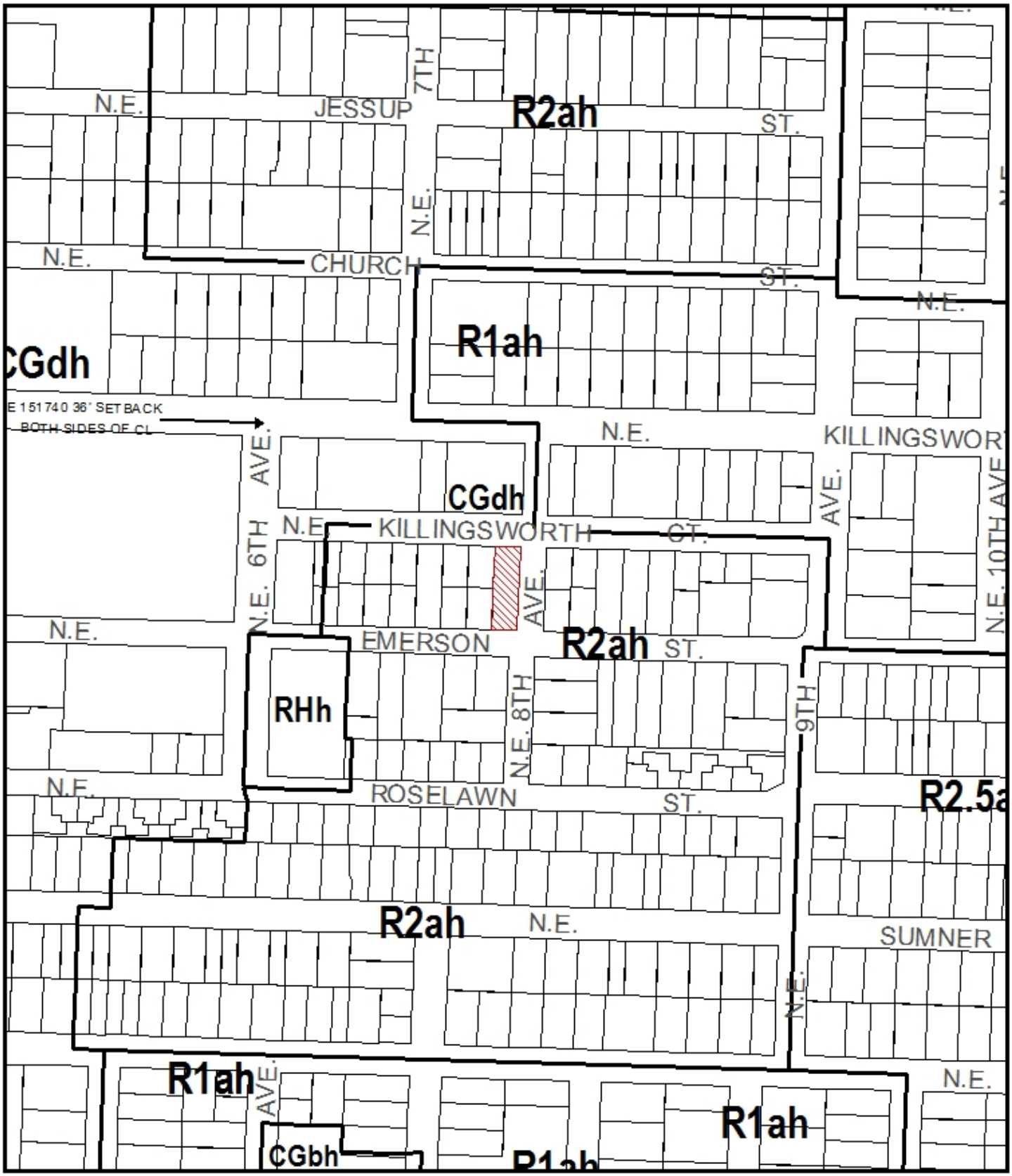
APPEAL PROCESS

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

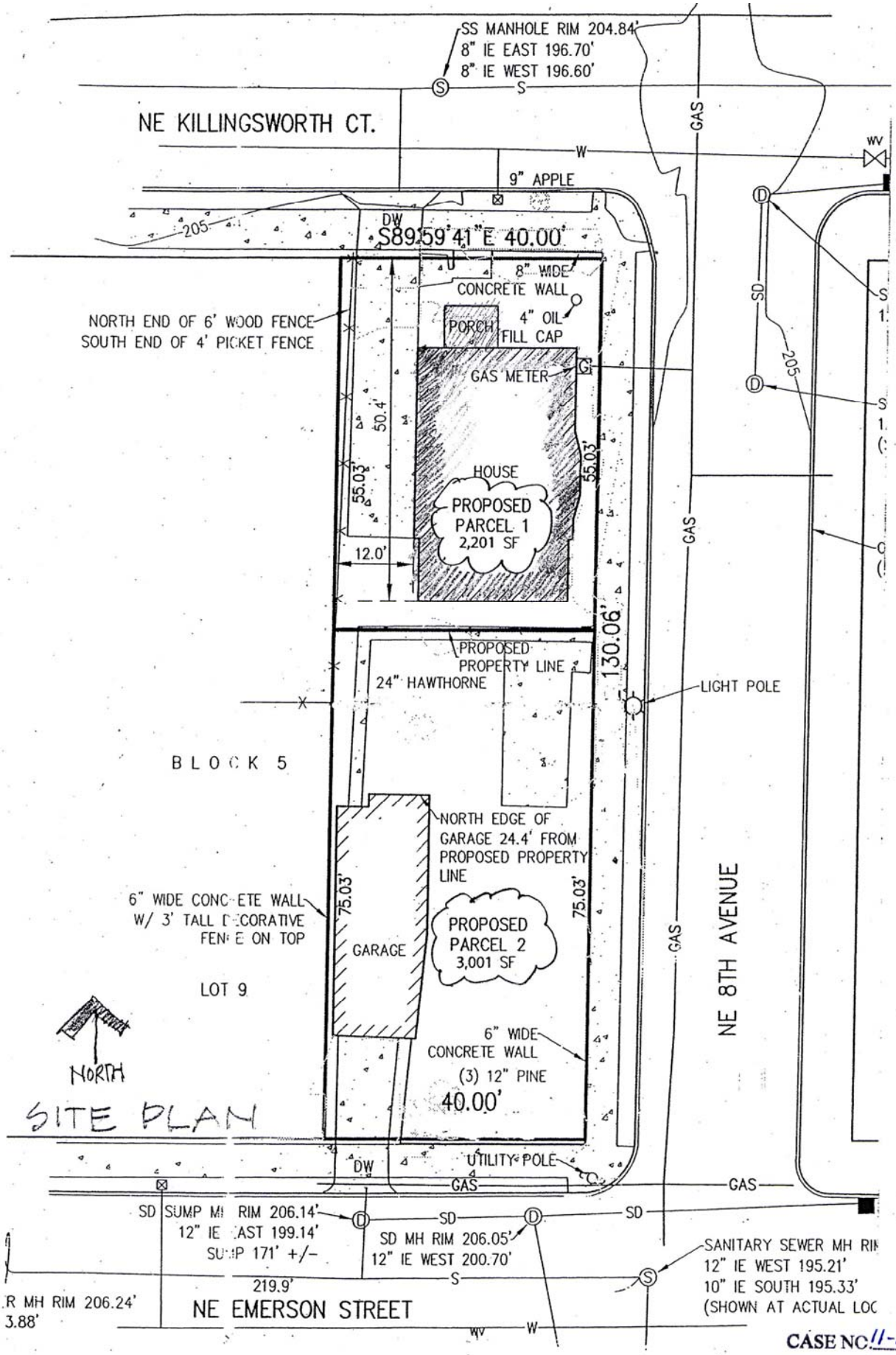


ZONING

Site

NORTH

File No.	LU 11-196235 LDP
1/4 Section	2531
Scale	1 inch = 200 feet
State_Id	1N1E23BB 6600
Exhibit	B (Nov 29,2011)



CASE NO. 11-196235 LDP
EXHIBIT G