



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: December 10, 2012
To: Interested Person
From: Kathleen Stokes, Land Use Services
503-823-7843 / Kathleen.Stokes@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood that requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. Copies of the site plan, elevation drawings and zoning map are 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 28 days, **we need to receive your written comments by 5 p.m. on December 31, 2012.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-203961 AD, in your letter. It also is helpful to address your letter to me, Kathleen Stokes.

CASE FILE NUMBER: LU 12-203961 AD

Applicant: Matthew McCune, McCune Design
2812 NE 8th Avenue
Portland OR 97212

Owners: Walter P and Marliza A Raney
3714 N Haight Avenue
Portland, OR 97227-1328

Site Address: 3714 N HAIGHT AVE

Legal Description: BLOCK 26 INC STRIP 8' WIDE E OF & ADJ LOT 10, CENTRAL ALBINA
Tax Account No.: R146804440
State ID No.: 1N1E22DC 08800
Quarter Section: 2630
Neighborhood: Boise, Ted Buehler at 503-890-0510.
Business District: North-Northeast Business Assoc, Joice Taylor at 503-445-1321.
District Coalition: Northeast Coalition of Neighborhoods, Chris Lopez at 503-823-4575.
Zoning: R2.5a (R2,500, Attached Single-dwelling Residential, with an Alternative Design Density Overlay)

Case Type: Adjustment Review
Procedure: Type II, administrative decision with appeal to Adjustment Committee.

Proposal: The applicants are proposing to convert an existing detached garage, for use as an 746 square-foot accessory dwelling unit. The proposal includes construction of a 232.5 square-foot addition that would extend the building an additional 10 feet to the south and would extend the same roof line, along the north/south ridge line, maintaining the roof pitch of the existing structure.

The Portland Zoning Code, Title 33, allows accessory dwelling units in the single-dwelling zones. In this case, a unit that is up to 800 square feet would be allowed in a detached

structure. The Code also contains design standards that must be met for these accessory units, including a requirement that the roof pitch match that of the primary dwelling unit. (Roof pitch is a measurement, given in inches, of the amount of height or “rise” that is gained for each increment of horizontal extension or “run”). The eaves of the structure are also required to either match the primary dwelling or extend for one-foot from the accessory structure. Exceptions to these requirements are approved through Adjustment Reviews, when all of the relevant approval criteria are met or if the criteria can be met through conditions of approval.

In this case, the primary dwelling unit has a roof pitch of 10 in 12 and the garage has a roof pitch of 10 in 12 on the east side and about 12 in 12 on the west side, which the applicants wish to maintain in the new section that would be added on the south side of the building.

The primary dwelling has a “dutch hip” roof, which has returns at the edge of the roof line that extend beyond the building wall but do not constitute traditional roof eaves. The existing garage has an eave that extends for one-foot on the east side and has a rafter tail that extends for about 2 feet, 3 inches and then wraps under at an angle, rather than an eave, on the west side. The applicants are also proposing to maintain these features of the garage roof line and structure in the addition.

Therefore, the applicants are requesting approval of an Adjustment to Code Section 33.205.030 C, to allow the addition to the garage to be built with an extension of the roof at the same pitch and with the same eaves and rafter details as the existing structure.

Standards for creating accessory dwelling units address the following purposes:

- *Ensure that accessory dwelling units are compatible with the desired character and livability of Portland’s residential zones;*
- *Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards;*
- *Ensure that accessory dwelling units are smaller in size than houses, attached houses, or manufactured homes; and*
- *Provide adequate flexibility to site buildings so that they fit the topography of sites.*

Relevant Approval Criteria: To be approved, this proposal must comply with the approval criteria of 33.805.040 A.-F., Adjustments, cited below.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in a 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
- 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
- D.** City-designated scenic resources and historic resources are preserved; and
- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and
- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.

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 9, 2012 and determined to be complete on **December 6, 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.portlandonline.com.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Adjustment Committee. 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 St. 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, Site Plan, Elevation Drawings

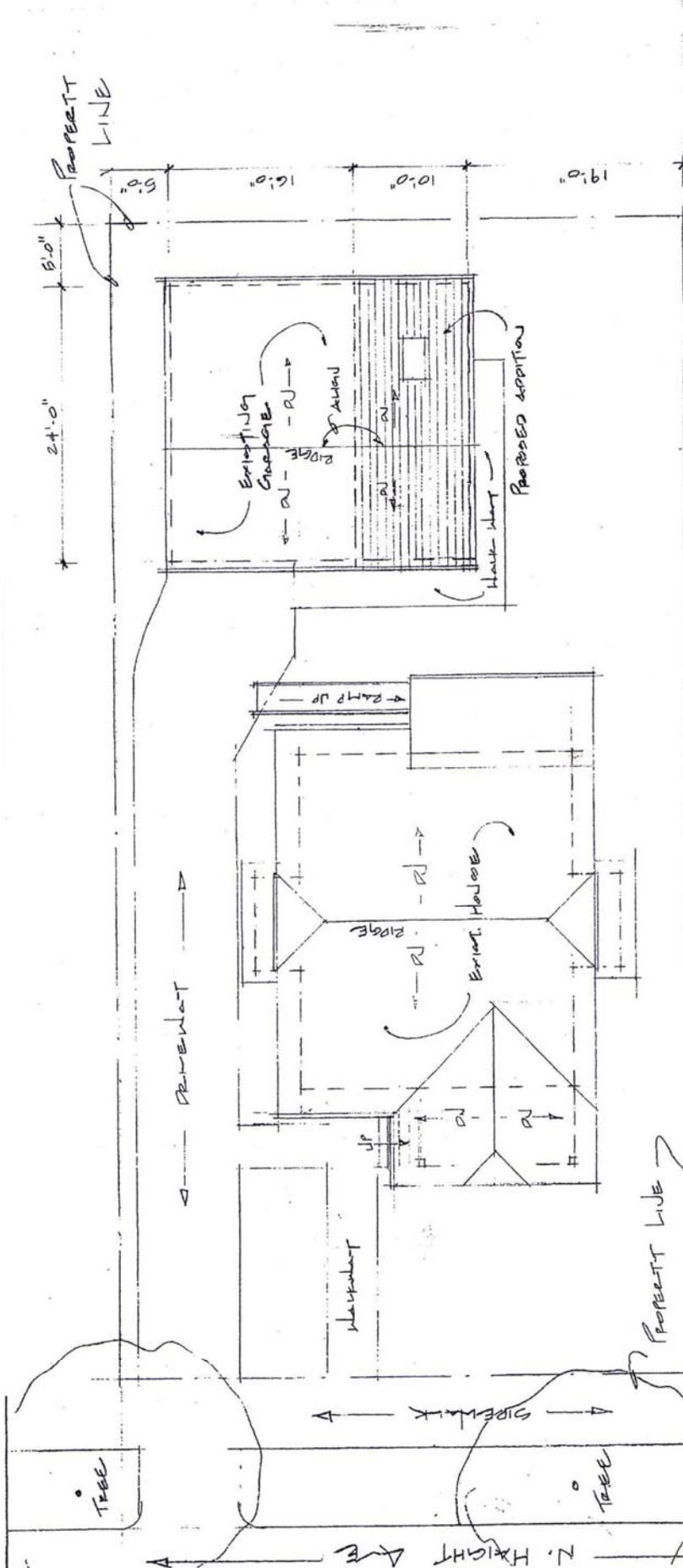


ZONING

 Site



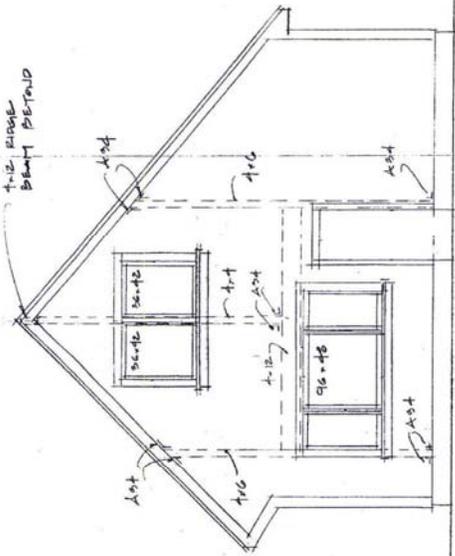
File No. LU 12-203961 AD
 1/4 Section 2630
 Scale 1 inch = 200 feet
 State Id 1N1E22DC 8800
 Exhibit B (Nov 13, 2012)



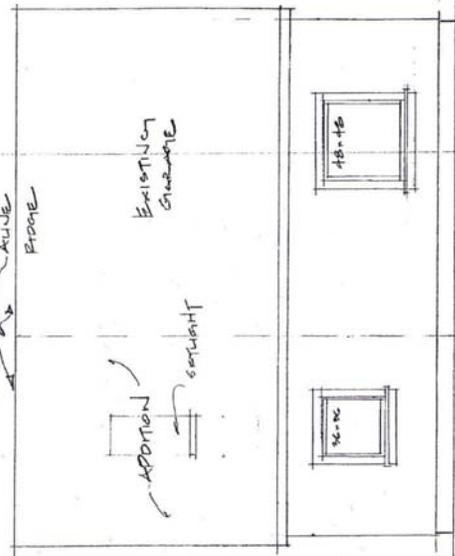
LUI2-20396 IAD

1 SITE PLAN
 A-1 Scale: 1/8" = 1'-0"

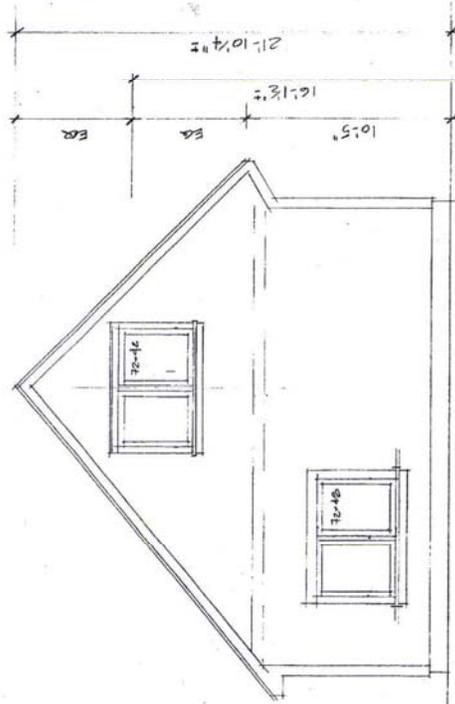
LOT INFO:
 ZONED: R-2.5
 LOT SIZE: 5,000 SF
 HOUSES: 1,446 SF
 EXIST. GARAGE
 FOOT PRINT: 384 SF
 PROPOSED ADU
 FOOT PRINT: 624 SF
 PROPOSED ADU
 INTERIOR: 366.25 SF



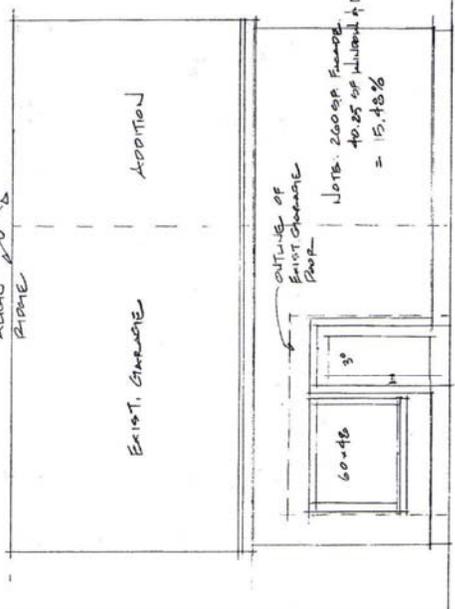
2 SOUTH ELEVATION
A-3 SCALE: 1/4" = 1'-0"



4 EAST ELEVATION
A-3 SCALE: 1/4" = 1'-0"

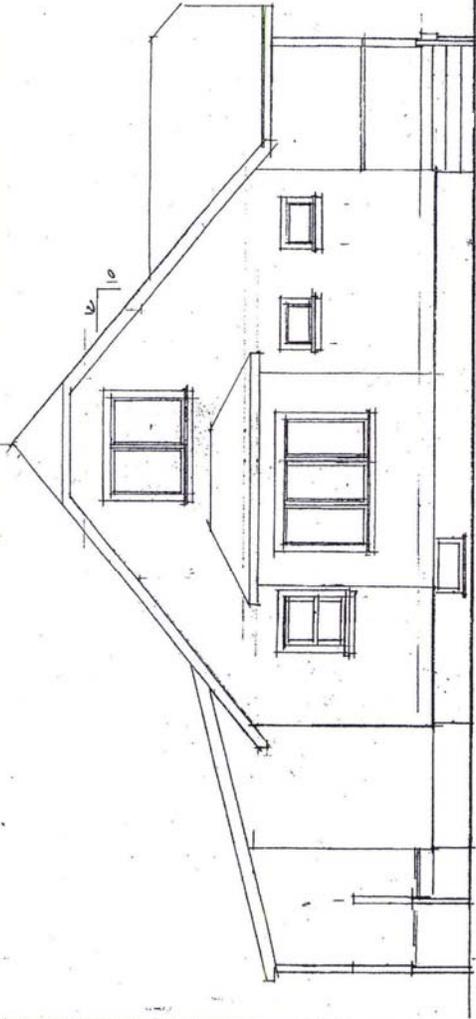


1 NORTH ELEVATION
A-3 SCALE: 1/4" = 1'-0"

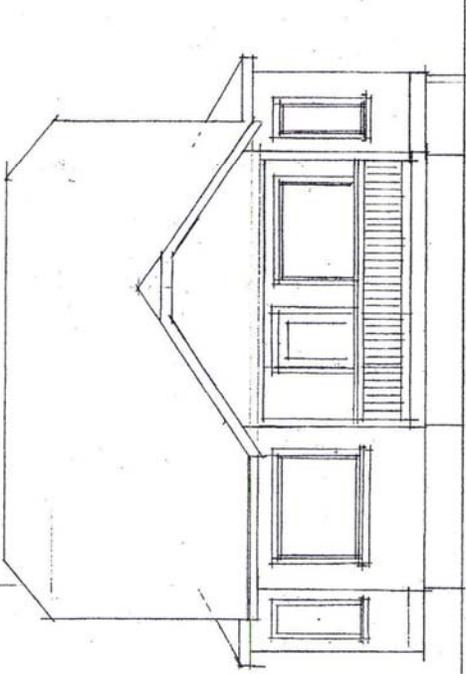


3 WEST ELEVATION
A-3 SCALE: 1/4" = 1'-0"

3714 N. Haight - Primary Dwelling

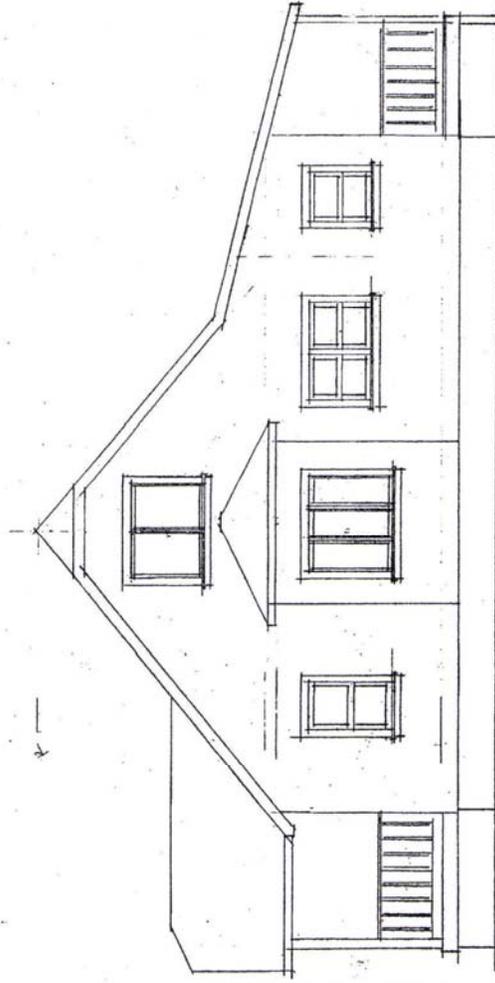


1 NORTH ELEVATION
A-3 / scale: 1/4" = 1'-0"

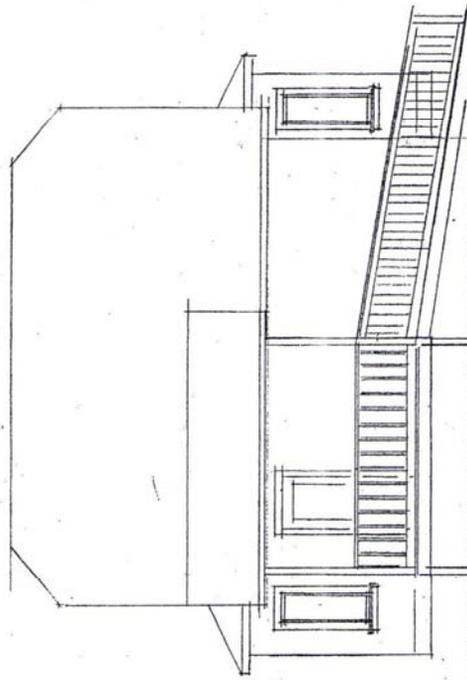


2 WEST (FRONT) ELEVATION
A-3 / scale: 1/4" = 1'-0"

LU12-203961AD



3 SOUTH ELEVATION
A-3 / scale: 1/4" = 1'-0"



4 EAST ELEVATION
A-3 / scale: 1/4" = 1'-0"