



**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](http://www.portlandoregon.gov/bds)

**Date:** December 20, 2012  
**To:** Interested Person  
**From:** Sean Williams, Land Use Services  
503-823-7612 / [Sean.Williams@portlandoregon.gov](mailto:Sean.Williams@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 January 22, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-205754 LDP, in your letter. It also is helpful to address your letter to me, Sean Williams.

### **CASE FILE NUMBER: LU 12-205754 LDP**

**Applicant:** Mike Coyle  
Faster Permits  
14334 NW Eagleridge Lane  
Portland, OR 97229

**Owner:** Victor Remmers  
Everett Custom Homes Inc.  
735 SW 158<sup>th</sup> Avenue, suite 180  
Beaverton, OR 97006-4952

**Site Address:** 3924 N Gantenbein Avenue

**Legal Description:** BLOCK 24 LOT 11, CENTRAL ALBINA  
**Tax Account No.:** R146804050  
**State ID No.:** 1N1E22DC 02300  
**Quarter Section:** 2630  
**Neighborhood:** Boise, contact Ted Buehler at 503-890-0510.  
**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Chris Lopez at 503-823-4575.  
**Plan District:** None  
**Zoning:** Residential 2,500 (R2.5) w/ Alternative Design Density Overlay (a)  
**Case Type:** Land Division Partition (LDP)  
**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant is requesting to partition the subject property into two equally sized parcels of 2,500 square feet. Existing development consists of a single family home and detached garage that will be removed. The proposed lots are narrower than the minimum width for the R2.5 zone. The Zoning Code, however, allows narrower lots if the future development can meet the regulations of 33.611.200.C. Vehicle access is proposed via the adjacent alley. No trees subject to preservation standards are located within the land division site. Stormwater management is proposed via individual drywells.

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. 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 November 15, 2012 and determined to be complete on **December 18, 2012**.

**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.

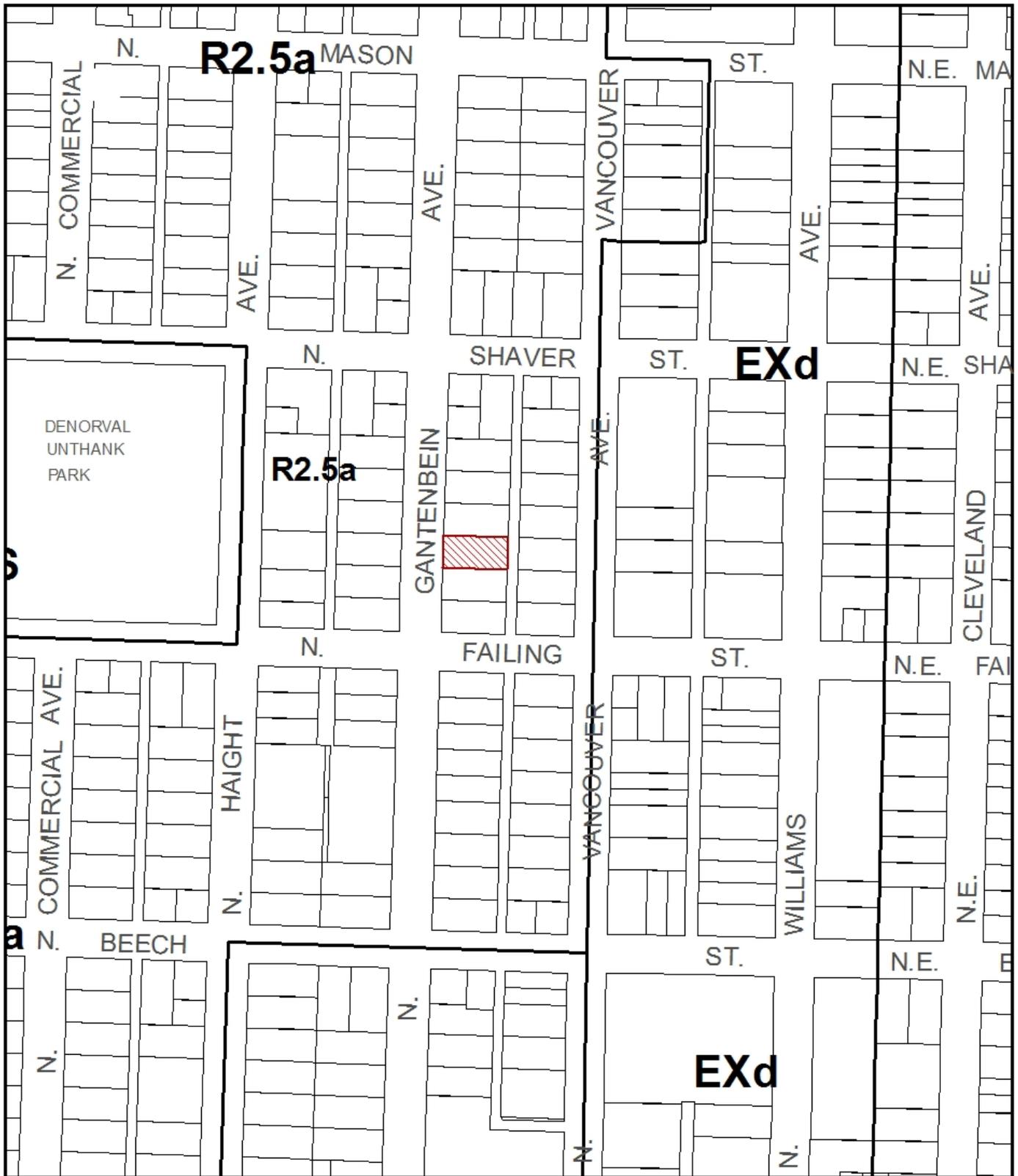
**APPEAL PROCESS**

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



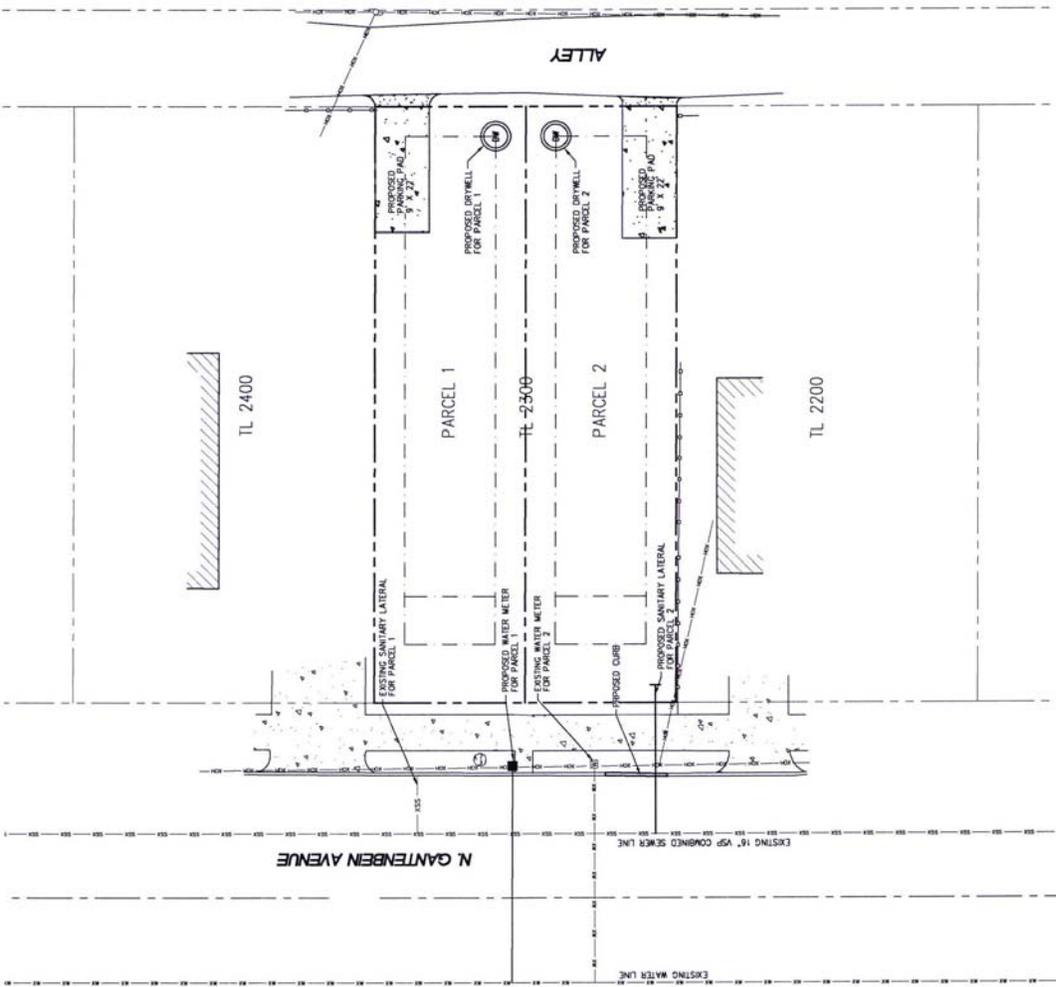
File No. LU 12-205754 LDP  
 1/4 Section 2630  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E22DC 2300  
 Exhibit B (Nov 16, 2012)

PRELIMINARY SITE/  
 UTILITY PLAN

NO.	DATE	REVISIONS



- LEGEND**
- BOUNDARY LINE
  - - - ADJACENT/ADJOINING LOT LINE
  - CENTER LINE ROW
  - EXISTING STORM SEWER MANHOLE
  - EXISTING SANITARY SEWER CLEANOUT
  - EXISTING CATCH BASIN
  - EXISTING SANITARY SEWER MANHOLE
  - EXISTING WATER METER
  - EXISTING WATER VALVE
  - EXISTING FIRE HYDRANT
  - EXISTING BOLLARD
  - EXISTING GAS VALVE
  - EXISTING GAS METER
  - EXISTING GAS LINE
  - EXISTING SANITARY SEWER LINE
  - EXISTING STORM DRAIN LINE
  - EXISTING WATER LINE
  - EXISTING WATER LINE
  - PROPOSED DRYWELL
  - PROPOSED SANITARY LATERAL
  - PROPOSED WATER METER



THE HYDRANT LOCATED AT NW CORNER OF INTERSECTION OF N GANTENBEIN AVENUE AND N SHAW'S STREET (APPROX. 300' FROM PROP. CORNER)

THE HYDRANT LOCATED AT SW CORNER OF INTERSECTION OF N GANTENBEIN AVENUE AND ALLEY (APPROX. 100' FROM PROP. CORNER)