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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Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: January 18, 2012

To: Interested Person

From: Mark Bello, Land Use Services
503-823-7810 / Mark.Bello@portlandoregon.gov

NOTICE OF A TYPE II 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 28 days, **we need to receive your written comments by 5 p.m. on February 8, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-217151 AD, in your letter. It also is helpful to address your letter to me, Mark Bello.

CASE FILE NUMBER: LU 12-217151 AD

Owners: Nanci Luna Jimenez
5106 N Williams Ave
Portland OR 97212

Yves P Labissiere
2453 N Humboldt St
Portland, OR 97217-3533

Representative: Dave Spitzer
DMS Architects
2106 NE Mlk Blvd
Portland OR 97212

Site Address: 5106 N WILLIAMS AVE

Legal Description: BLOCK 21 LOT 4, WALNUT PK
Tax Account No.: R877304910
State ID No.: 1N1E22AA 17500
Quarter Section: 2530

Neighborhood: Humboldt, contact Brian Murtagh at 503-962-9194.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.
District Coalition: NE Coalition of Neighborhoods, Shoshana Cohen at 503-823-4575.
Zoning: R1a Residential 1,000 with 'a' overlay
Case Type: AD Adjustment
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:
The applicants propose to attach a new 422 sq. ft. structure to the existing garage near the north east corner of the lot. The addition would generally align with the existing garage and so be generally located 2'-3" ft. from the rear/east property line. (The wall is notched an extra 1'-0" next to the existing garage.) An adjustment must be approved to reduce the minimum zoning code setback from 5 ft. to 2'-3" ft.

Relevant Approval Criteria:
In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are cited in Section 33.805.040 of the zoning code.

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 19, 2012 and determined to be complete on **December 28, 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.

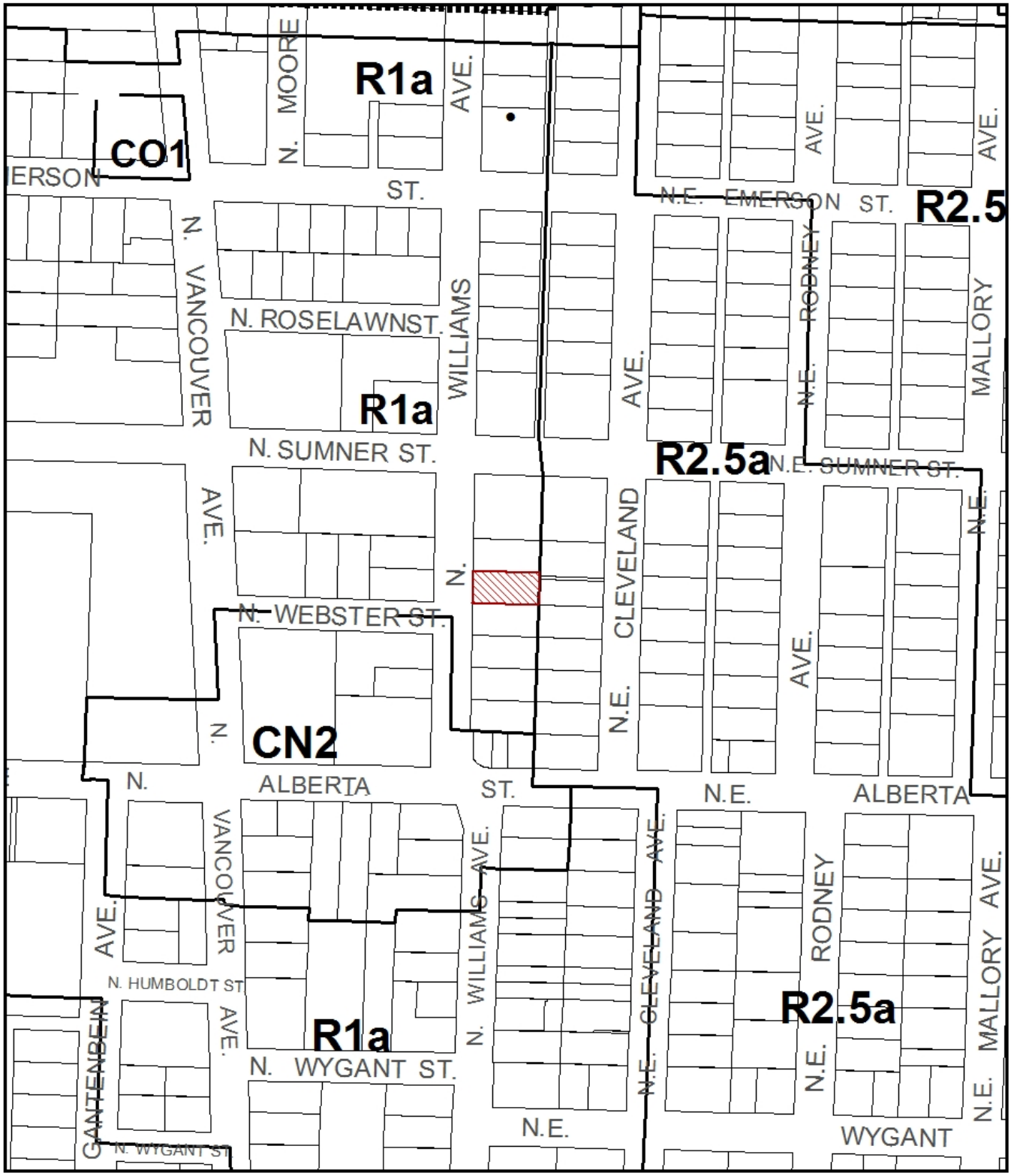
APPEAL PROCESS
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Adjustment Committee. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how 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
East (Rear) Elevation

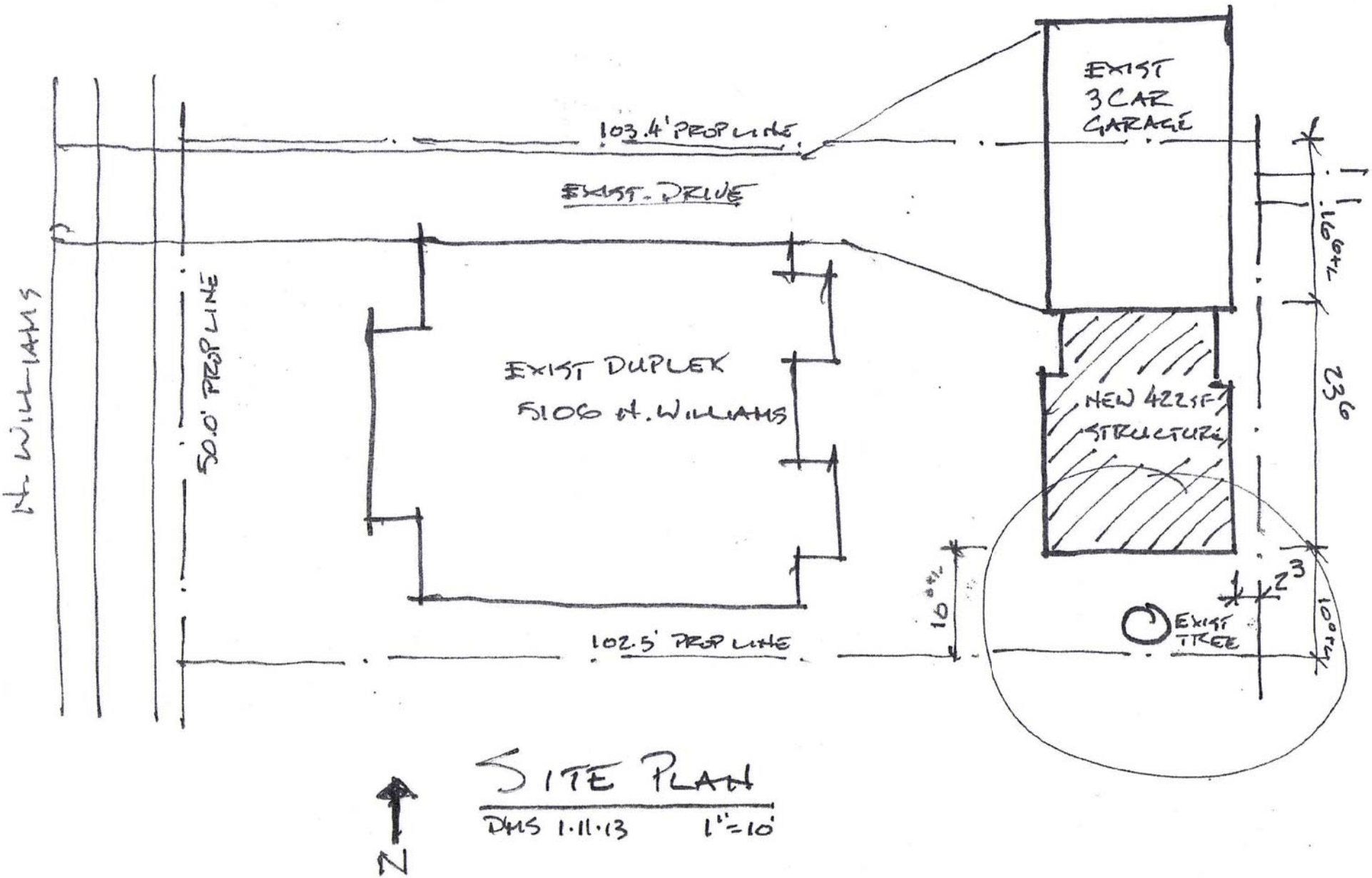


ZONING

Site

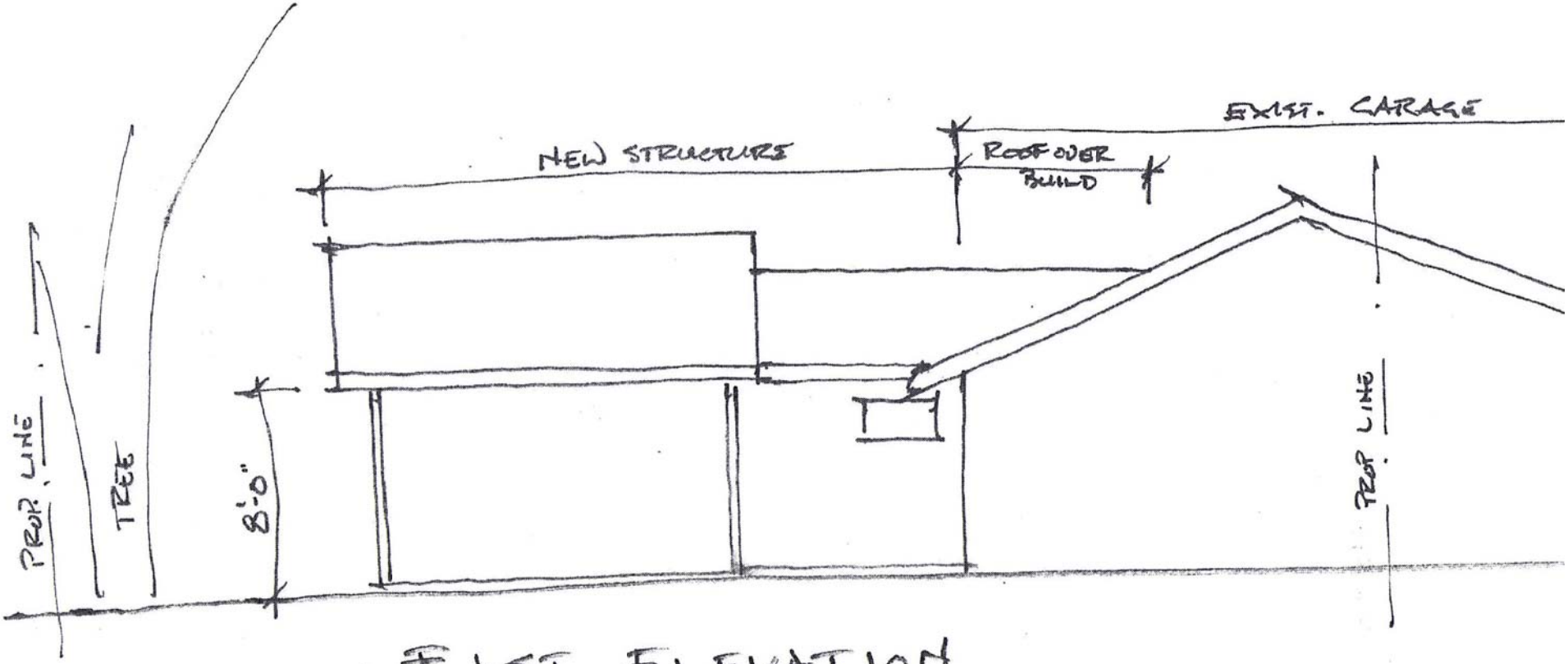
NORTH

File No.	LU 12-217151 AD
1/4 Section	2530
Scale	1 inch = 200 feet
State_Id	1N1E22AA 17500
Exhibit	B (Dec 20,2012)



SITE PLAN

DHS 1.11.13 1" = 10'



EAST ELEVATION

DMS 1.11.13