

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

FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868

www.portlandoregon.gov/bds

Date: April 9, 2013

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 April 30, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-126986 AD , in your letter. It also is helpful to address your letter to me, Mark Bello.

CASE FILE NUMBER: LU 13-126986 AD

Applicant/Owner: Ian Krist

1160 NE Lenore St Portland OR 97211

Site Address: 1160 NE LENORE ST

Legal Description: BLOCK 29 LOT 7&8 TL 2800, WOODLAWN

Tax Account No.: R925803920, R925803920

State ID No.: 1N1E14BD 02800, 1N1E14BD 02800

Quarter Section: 2331

Neighborhood: Woodlawn, contact Anjala Ehelebe at 503-388-5004.

Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321. **District Coalition:** Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-

388-5004

Zoning: R5h Residential 5,000, "h' Aircraft Landing [height] overlay zone

Case Type: AD Adjustment

Procedure: Type II, an administrative decision with appeal to the Adjustment

Committee.

Proposal:

A new parking space located between the house and NE Leonore Street is too shallow to allow for a code-mandated 18'-long parking space and 10'-deep front yard. The house is approximately 21' from the front property line. The required sum of front yard and parking is 28'. So, the adjustment request is to reduce the front yard from 10' to 3' (21' – 18'= 3').

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

33.805.040 Approval Criteria

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; and

E. Any impacts resulting from the adjustment are mitigated to the extent practical; and

The purpose of the setback regulations are as follows:

33.110.220 Setbacks

A. Purpose. The setback regulations for buildings and garage entrances serve several purposes:

- They maintain light, air, separation for fire protection, and access for fire fighting;
- They reflect the general building scale and placement of houses in the city's neighborhoods;
- They promote a reasonable physical relationship between residences;
- They promote options for privacy for neighboring properties;
- They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;
- They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and
- They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

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 March 12, 2013 and determined to be complete on April 4, 2013.

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.

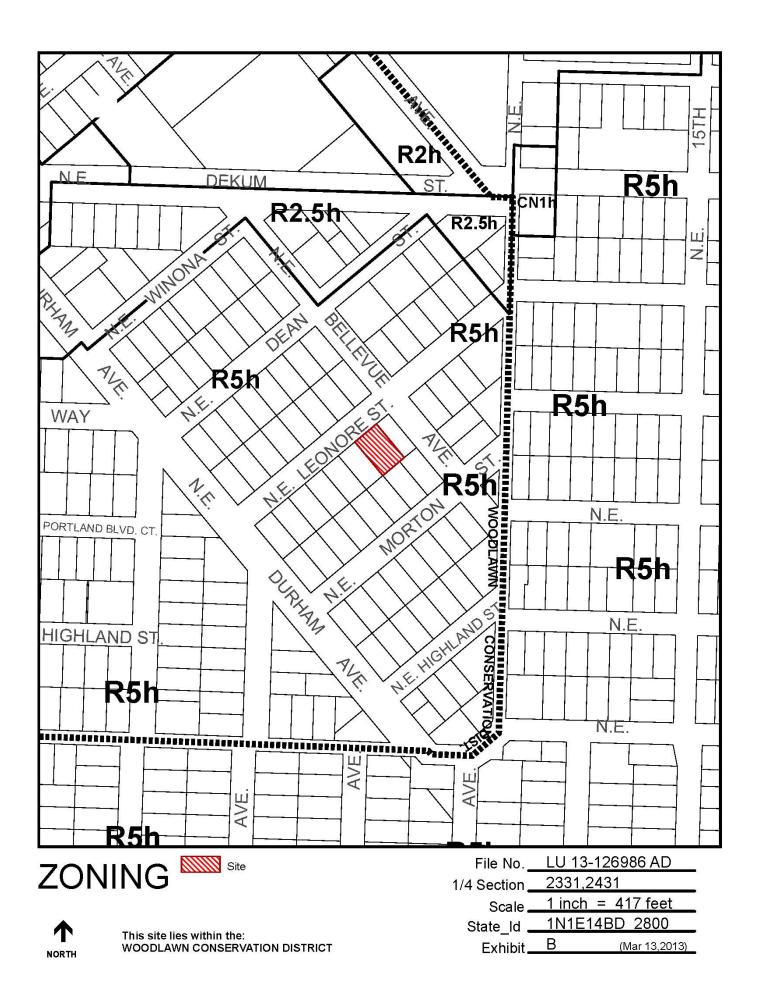
APPEAL OF THE FINAL CITY DECISION

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



IMPERVIOUS AREA	BUILDING COVERAGE	LOT AREA
	BUILDING FOOTPRINT	6,000 SQ. FT
PATIO		
WALK		
ROOF AREA (INCL. OVERHANG)		
TOTAL		
-		
		24
- -		
	*	
Patrician and Company of the Company		
	<u></u>	
1.		
-		
F.1 Ac.		
Existing Diveway		
21,15		
18'		
	Tei en alle	
1	16' Sidewalk	_
· ·	13,6.5in Plenting Strip	Manage Control of the
1	~w	rb
Proposed curbent	NE Lenore Street	
and driveway approach	1-11	13-126986 AD
	ZV(
PROJECT LEGAL	PROJECT ADDRESS 1160 NE Lenore St.	SITE PLAN
<u>+</u>	Partland OR	SCALE 1" = 10'
	97211	- 2' NORTI