



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: November 26, 2013
To: Interested Person
From: Kathy Harnden, Land Use Services
503-823-7318 / Kathy.Harnden@portlandoregon.gov

NOTICE OF A TYPE IX 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 December 26, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-198428 LDP, in your letter. It also is helpful to address your letter to me, Kathy Harnden.

CASE FILE NUMBER: LU 13-198428 LDP

Applicant: Kym Nguyen
Concept Design & Associates
PO Box 8464
Portland, OR 97207

Owner: Damir Karim
D.K. Homes LLC
Po Box 90277
Portland, OR 97290

Site Address: 8122 SE Taylor St

Legal Description: BLOCK 1 LOT 5, STRAWBERRY DALE
Tax Account No.: R801300160
State ID No.: 1S2E05AD 00301
Quarter Section: 3138

Neighborhood: Montavilla, contact Lewis Scholl at 503-258-0312.
Business District: Montavilla-East Tabor, contact Dokken Ramey at 503-467-4127. Eighty-Second Ave of Roses Business Association, contact Frank Harris at 503-774-2832.

District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.
Zoning: Residential 2000 with the Alternative Design Density overlay (R2a)
Case Type: Land Division Partition (LDP)
Procedure: Type IX, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes to divide this flat, 5,000 square-foot, vacant lot into two parcels that will be consistent with the site's R2 zoning. The existing lot is 50 feet wide by 100 feet deep. The two new parcels will be 25 feet wide by 100.04 feet deep and will front on SE Taylor Street. Each parcel is proposed to be developed with single, detached house, with on-site parking and a drywell for stormwater detention at the rear.

This partition is reviewed through a Type Ix 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:

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 August 29, 2013 and determined to be complete on November 25, 2013.

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.

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 775 Summer St. NE, Suite 330, 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
-  Also Owned

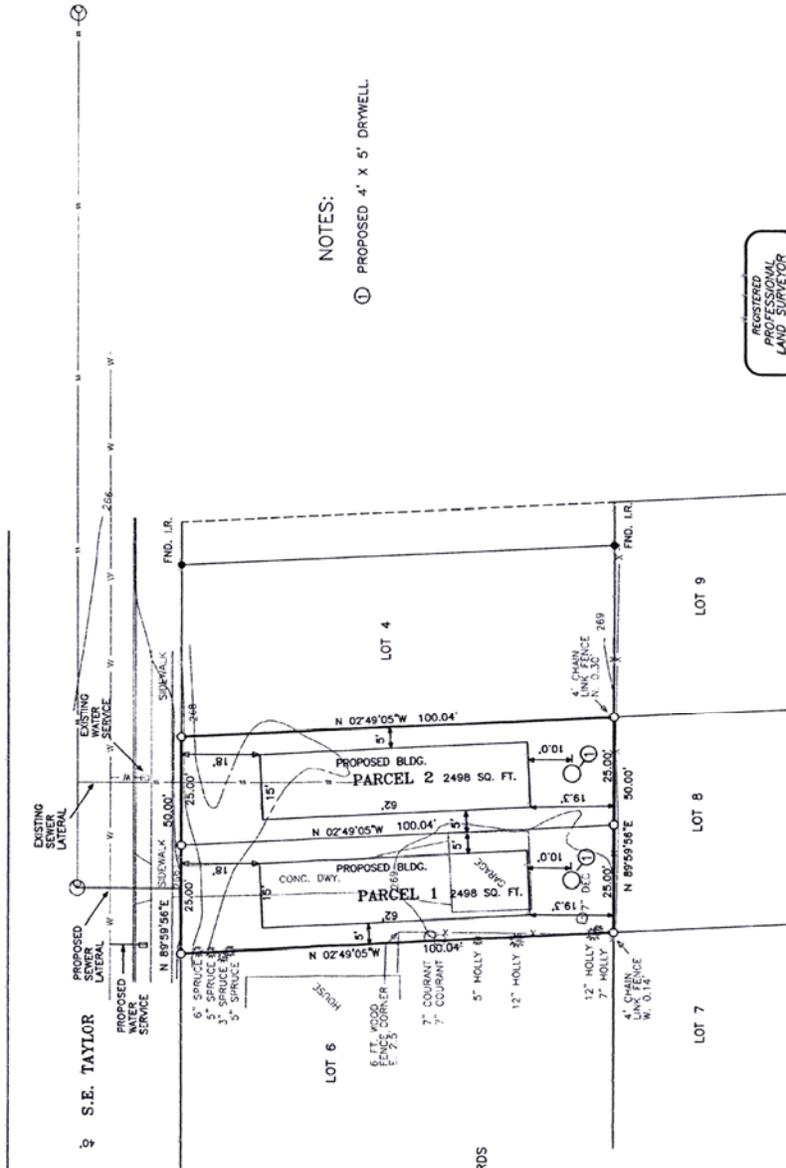
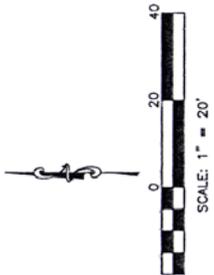


File No. LU 13-198428 LDP
 1/4 Section 3138
 Scale 1 inch = 200 feet
 State_Id 1S2E05AD 301
 Exhibit B (Sep 03, 2013)

TENTATIVE PARTITION PLAT
 LOT 5, BLOCK 1, "STRAWBERRY DALE"
 IN THE NE 1/4 OF SECTION 5, T.15., R.2E., W.M.
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON.
 DATE: JUNE 28, 2013 SCALE: 1" = 20'

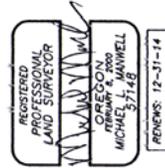
13-0197, JAN 29, 2013

MICHAEL LEE MANWELL
 Professional Land Surveyor
 2847 SE 18TH CIRCLE
 GRESHAM, OREGON 97080
 (503) 661-5270
 email: mmanola@aol.com



NOTES:
 ① PROPOSED 4' x 5' DRYWELL.

- LEGEND:
- FOUND MONUMENT AS NOTED
 - I.R. IRON ROD
 - TO BE SET 5/8" BY 30" I.R. WITH ORANGE PLASTIC CAP MARKED, "MANWELL LS 57148"
 - FND. FOUND
 - SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS



LU13-198428LDP