



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
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www.portlandoregon.gov/bds

Date: January 13, 2014
To: Interested Person
From: Rachel Whiteside, Land Use Services
503-823-7605 / Rachel.Whiteside@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 February 12, 2014.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-220901 LDP, in your letter. It also is helpful to address your letter to me, Rachel Whiteside.

CASE FILE NUMBER: LU 13-220901 LDP

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

Owner: Damir Karim,
DK Homes LLC
PO Box 90277
Portland, OR 97290

Site Address: 4800 SE 61ST AVE

Legal Description: TL 4100 0.21 ACRES, SECTION 18 1S 2E
Tax Account No.: R992180060
State ID No.: 1S2E18AA 04100
Quarter Section: 3536
Neighborhood: Mt. Scott-Arleta, contact Nicole Green at 503-816-1310.
Business District: Woodstock Community Business Association, contact Sean Daugherty at 503-754-2636.
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.
Plan District: None
Zoning: R5a – Single-Dwelling Residential with an Alternative Design Density Overlay
Case Type: LDP – Land Division (Partition)
Procedure: Type Ix – an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes to divide the existing 9,543 square foot site into two standard lots. The existing house will remain on a 5,046 square foot parcel and a new detached single-family home is proposed for a 4,497 square foot parcel. Parcel 1 is proposed to be 45 feet wide and Parcel 2 will be 50.5 feet wide. To meet tree preservation requirements, the applicant proposes to keep the 21" box elder behind the existing house.

There is an existing public water main and public sanitary sewer line in SE 61st Avenue. Individual connections to these lines are proposed. Stormwater from future development is proposed to be managed onsite via a drywell.

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 (2 parcels). Therefore this land division is considered a partition.

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).

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 October 24, 2013 and determined to be complete on January 7, 2014.

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.

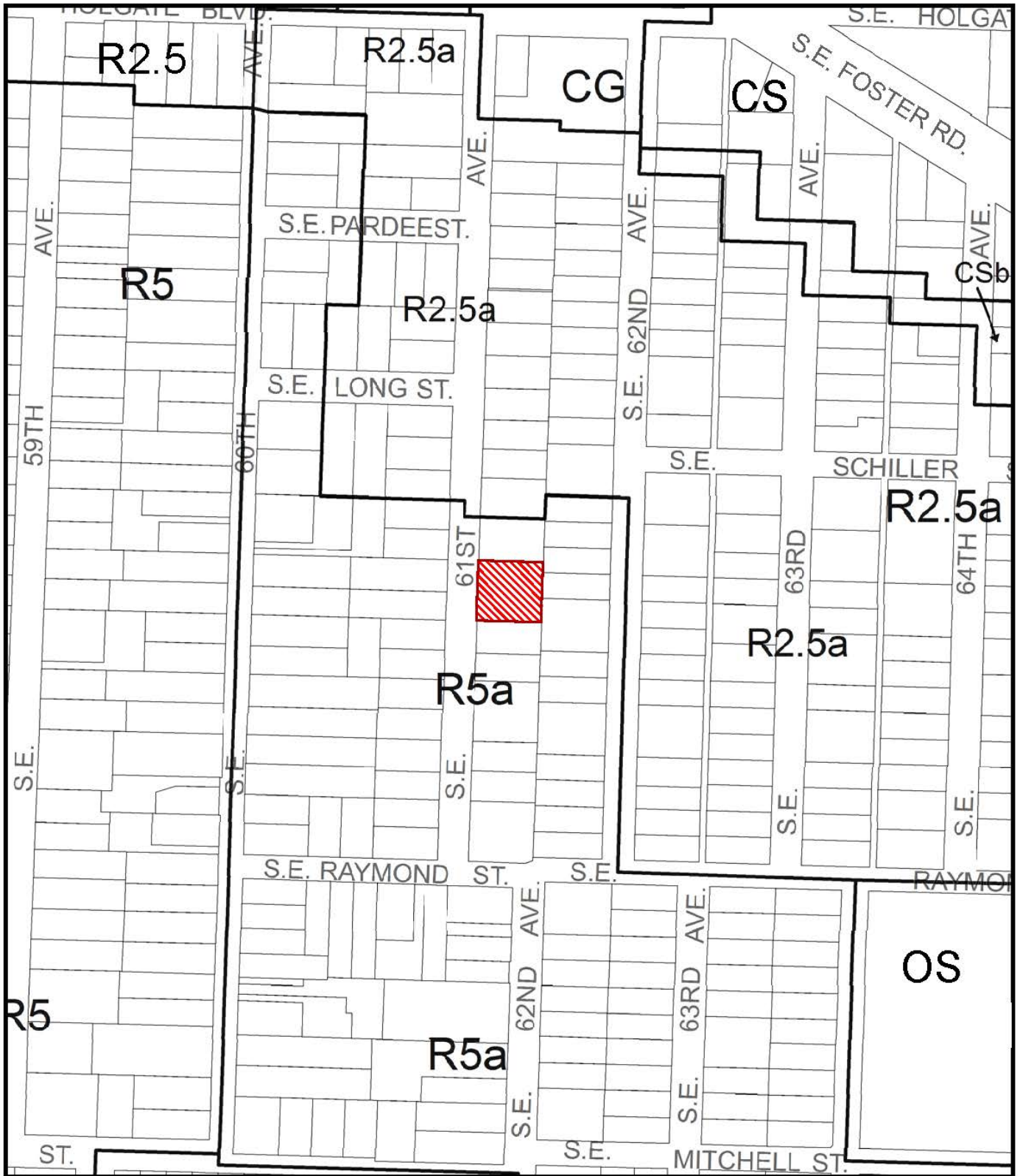
APPEAL PROCESS

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 97301-1283. 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
Tentative Plan



ZONING

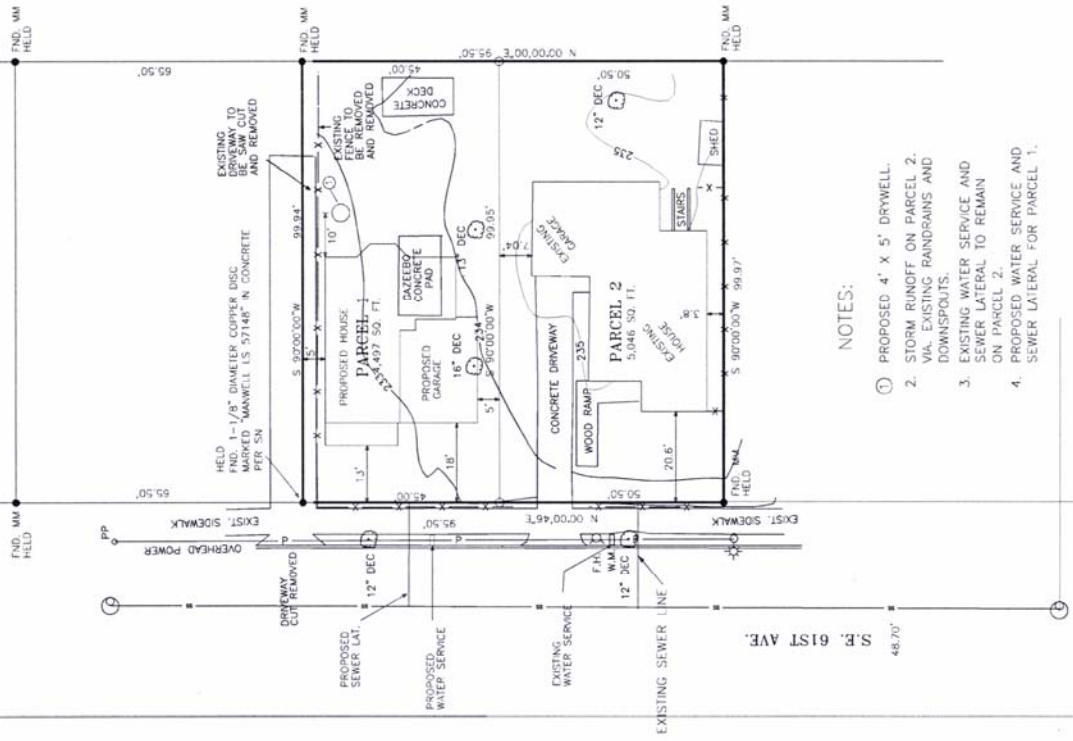


File No. LU 13-220901 LDP
 1/4 Section 3536,3537
 Scale 1 inch = 200 feet
 State_Id 1S2E18AA 4100
 Exhibit B (Jan 09,2014)

TENTATIVE PARTITION PLAN

TRACT OF LAND
IN THE NE 1/4 OF SEC. 18, T1S, R2E, W.M., CITY OF CITY OF
PORTLAND, MULTNOMAH COUNTY, OREGON.

DATE: SEPTEMBER 21, 2013 SCALE: 1"= 20'



POINT "A"
FND. 4-1/4" BRASS DISC
BY W. BOKER EXPD. 1/7
S.V. 800' N. PAGE 282
HELD

FND. MM
HELD

FND. MM
HELD

FND. MM
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NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE BOUNDARIES OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER, MULTNOMAH COUNTY DEED RECORDS AND TO PARTITION SAID TRACT AS SHOWN PER THE CITY OF PORTLAND PLANNING FILE. SAID TRACT OF LAND WAS SURVEYED BY THIS FIRM IN SN AND USED AS THE BASIS OF BEARINGS AND CONTROL.



LEGEND:

- MM FND. 5/8" I.R. WITH ORANGE PLASTIC PER PENDING LOT LINE ADJUSTMENT (HELD)
- I.R. IRON ROD
- TO BE SET 5/8" BY 30" I.R. WITH ORANGE PLASTIC CAP MARKED, "MANWELL LS 57145"
- FND. FOUND
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
- () RECORD DATA AS INDICATED

NOTES:

1. PROPOSED 4' X 5' DRYWELL.
2. STORM RUNOFF ON PARCEL 2. VIA EXISTING RAINDRAINS AND DOWNSPOUTS.
3. EXISTING WATER SERVICE AND SEWER LATERAL TO REMAIN ON PARCEL 2.
4. PROPOSED WATER SERVICE AND SEWER LATERAL FOR PARCEL 1.

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