



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: January 16, 2014
To: Interested Person
From: Kathleen Stokes, Land Use Services
503-823-7843 / Kathleen.Stokes@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood that requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. Copies of the site plan, elevation drawings and zoning map are 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 6, 2014.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-204847 AD, in your letter. It also is helpful to address your letter to me, Kathleen Stokes.

CASE FILE NUMBER: LU 13-204847 AD

Applicant: Hilary Mackenzie
Mackenzie Architecture Inc
2827 NE M L King Blvd
Portland OR 97212

Owners: Breanne S Oswill and Matvey M Rezanov
6336 N Detroit Ave
Portland, OR 97217

Site Address: 6336 N DETROIT AVE

Legal Description: BLOCK 11 LOT 4, PARK ADD TO ALBINA
Tax Account No.: R644301630
State ID No.: 1N1E16DB 01300
Quarter Section: 2428

Neighborhood: Arbor Lodge, contact Nate Young at 503-679-9929.
Business District: Interstate Corridor Business Association, contact Aleksandra Johnson at 503-735-4420.
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Zoning: R5a (R5,000, High Density Single-dwelling Residential, with an Alternative Design Density Overlay)

Case Type: Adjustment Review
Procedure: Type II, administrative decision with appeal to Adjustment Committee.

Proposal: The applicant is proposing modifications to the existing garage on this site, to accommodate plans of the owners for the conversion of the garage for use as a studio. The plans include raising the plate height of the structure by two feet and enlarging the footprint,

by one foot to the south and by 1.5 feet to the west. The resulting structure would have a gable roof and would be 31 feet deep, 13 feet, 4 inches wide and 12.5 feet tall (measured from grade level to the mid-point of the roof or average height of the highest gable). The building would be located one foot, 8 inches from the north side and the rear (east) property lines.

The Portland Zoning Code, Title 33, requires structures to be located 5 feet from the side and rear property lines in the R5 zone. There is an exception for garages that meet certain thresholds, including but not limited to, requirements that they are no more than 24 feet wide or deep and that they are no more than 15 feet tall. Garages that meet all of the threshold requirements for this exception can be converted to use as some other type of accessory structure. When structures do not meet these thresholds, they can be approved for an exception to the setback requirements through an Adjustment Review. Adjustments are approved if they meet the approval criteria or if the approval criteria can be met through conditions of approval.

The applicant is requesting approval of Adjustments to Code Section 33.110.220 B, to reduce the minimum building setback from both the north side and the rear property lines, from 5 feet to one foot, 8 inches, for the proposed alterations to the accessory structure.

The purpose of building setback requirements are to maintain light, air, separation for fire protection, and access for fire fighting. Setback standards also reflect the general building scale and placement of development in the City's neighborhoods and promote a reasonable physical relationship between residences. They promote options for privacy for neighboring properties and 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.

Relevant Approval Criteria: To be approved, this proposal must comply with the approval criteria of 33.805.040 A.-F., Adjustments, cited below.

- 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, or if in a OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and
- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and
- D.** City-designated scenic resources and historic resources are preserved; and
- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and.
- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.

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 September 13, 2013 and determined to be complete on January 14, 2014.

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.

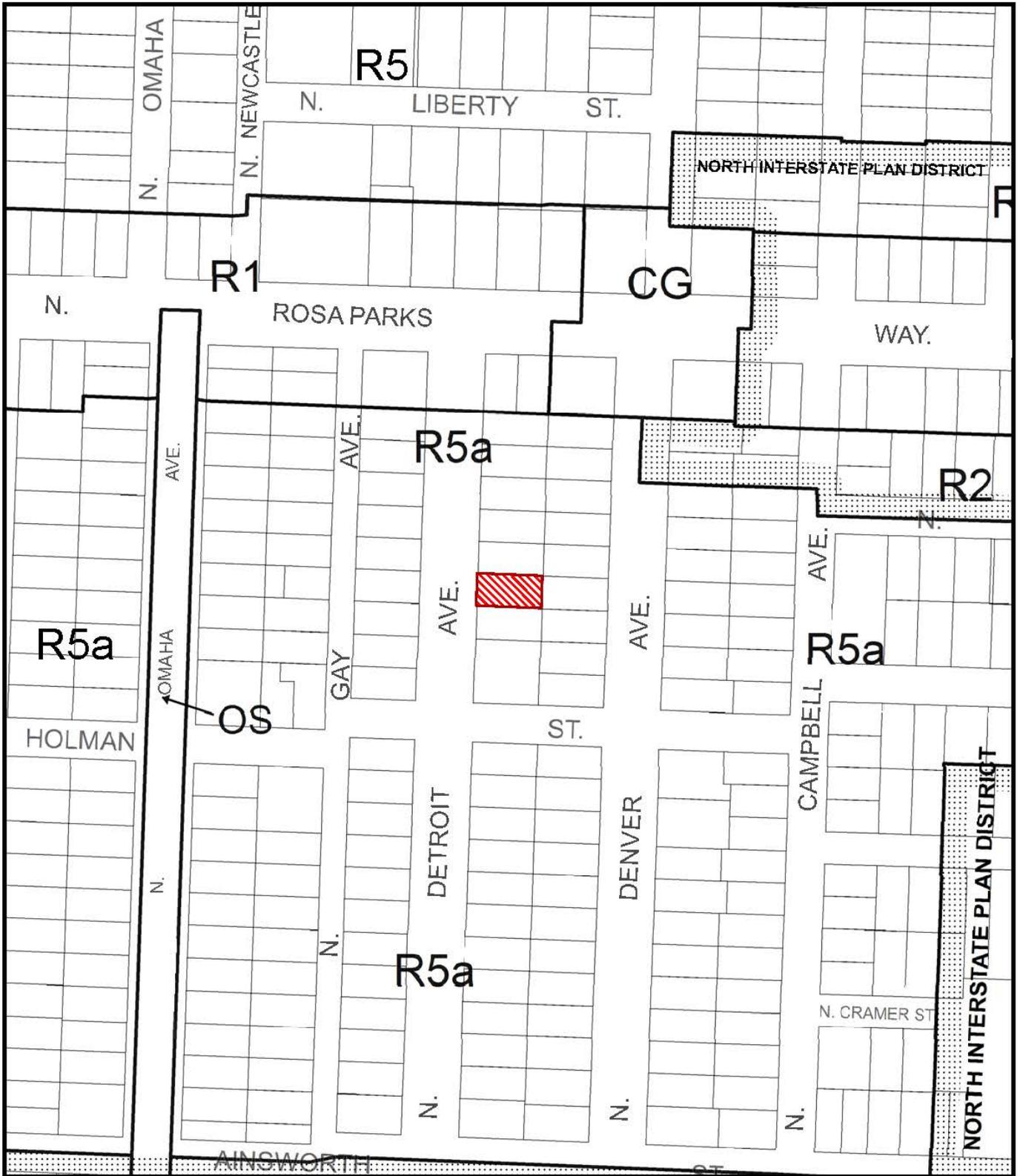
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St. NE, Suite 330, 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
Elevation Drawings



ZONING



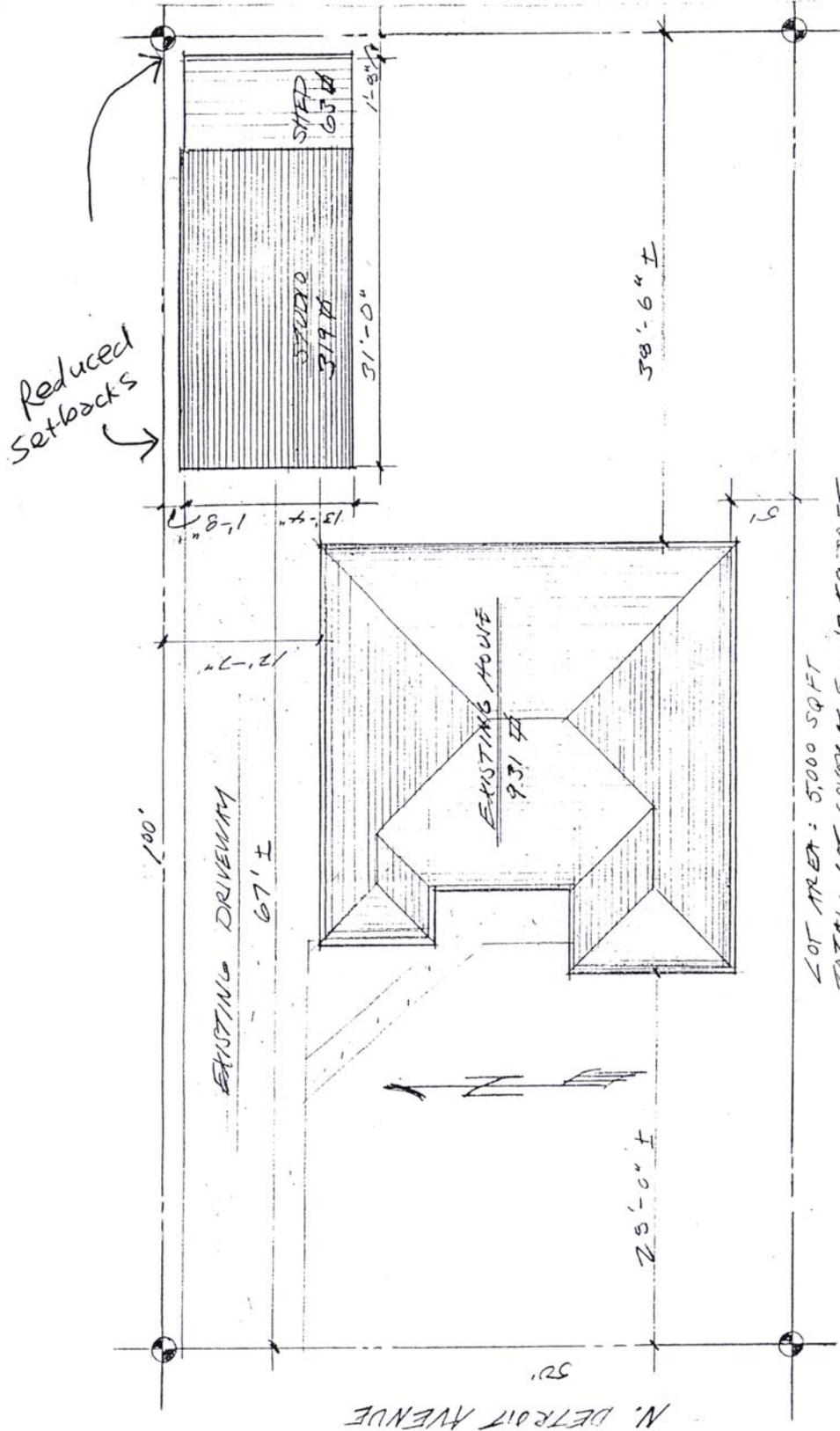
Site



NORTH

File No. LU 13-204847 AD
 1/4 Section 2428
 Scale 1 inch = 200 feet
 State_Id 1N1E16DB 1300
 Exhibit B (Sep 16, 2013)

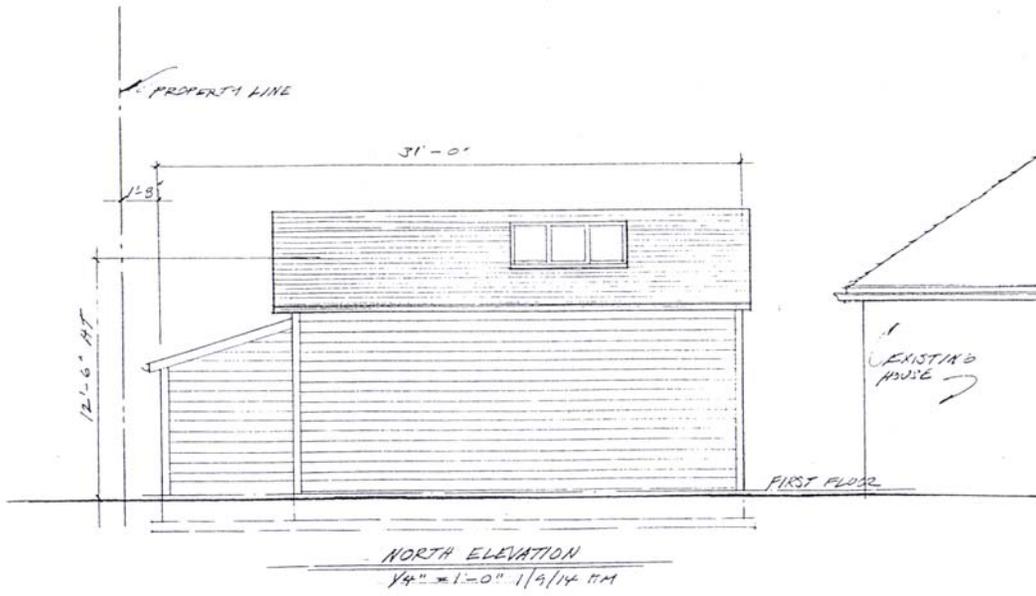
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|--|--|--|-------------------|
| BREANNE OSWILL & MATVEY REZANOV GARAGE STUDIO 6336 N. DETROIT AVENUE PORTLAND, OREGON 97217 | | Drawn By: HM Date: 11/11/13 Scale: | SHEET NUMBER 1 |
| MACKENZIE ARCHITECTURE, INC. 2827 NE MARTIN LUTHER KING, JR. BLVD. (503) 282-7674 hilly@mackenziearchitecture.com © MACKENZIE ARCHITECTURE, INC. 2013 | | Revisions Date | |



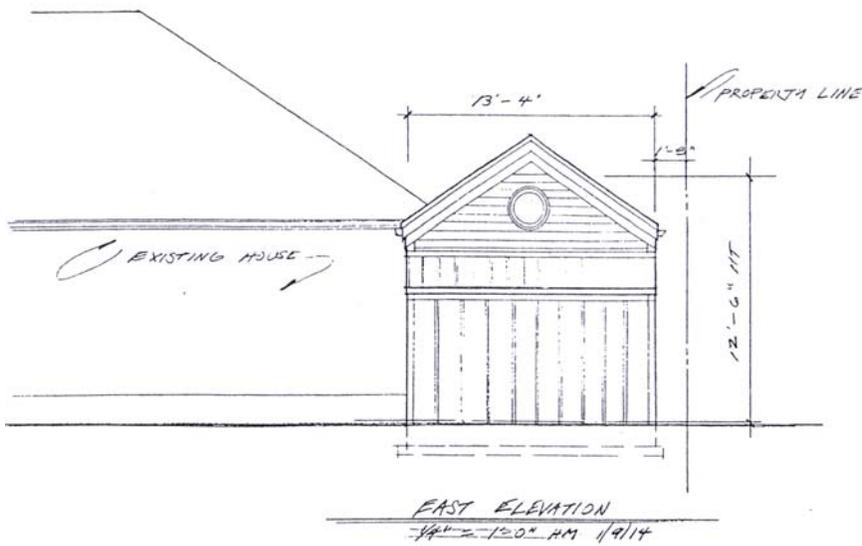
LOT AREA: 5,000 SQ FT
 TOTAL LOT COVERAGE: 1259 SQ FT
 ALLOWED COVERAGE: 2250 SQ FT
 EXISTING IMPERVIOUS AREA: 2091 SQ FT
 PROPOSED IMPERVIOUS AREA: 2215 SQ FT

LEGAL:
 PARK ADDITION TO
 ALBINA BLOCK 11, LOT 4
 1N1E16DB T4RLOT 1300

13-204847AD

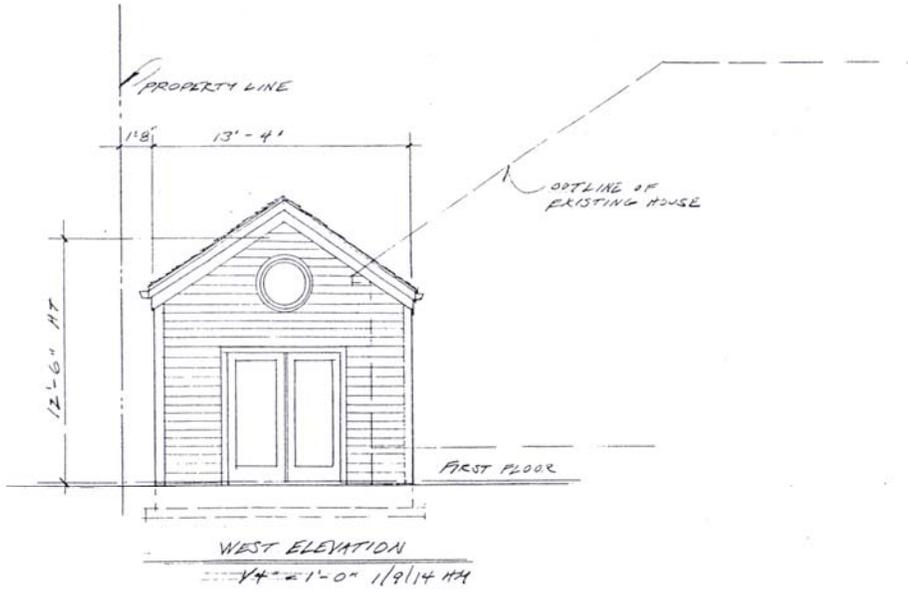


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| Revisions | |
| Date | 1/11/13 |
| MACKENZIE ARCHITECTURE, INC. 2027 NE MARTIN LUTHER KING, JR. BLVD. (503) 242-2674 info@mackenziearch.com © MACKENZIE ARCHITECTURE, INC. 2013 | |
| BIRLENNNE OSWILL & MATVEY REZANDY GARAGE STUDIO 6338 N. DETROIT AVENUE PORTLAND, OREGON 97217 | |
| Drawn By | HT |
| Date | 1/11/13 |
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| SHEET NUMBER | 6 |

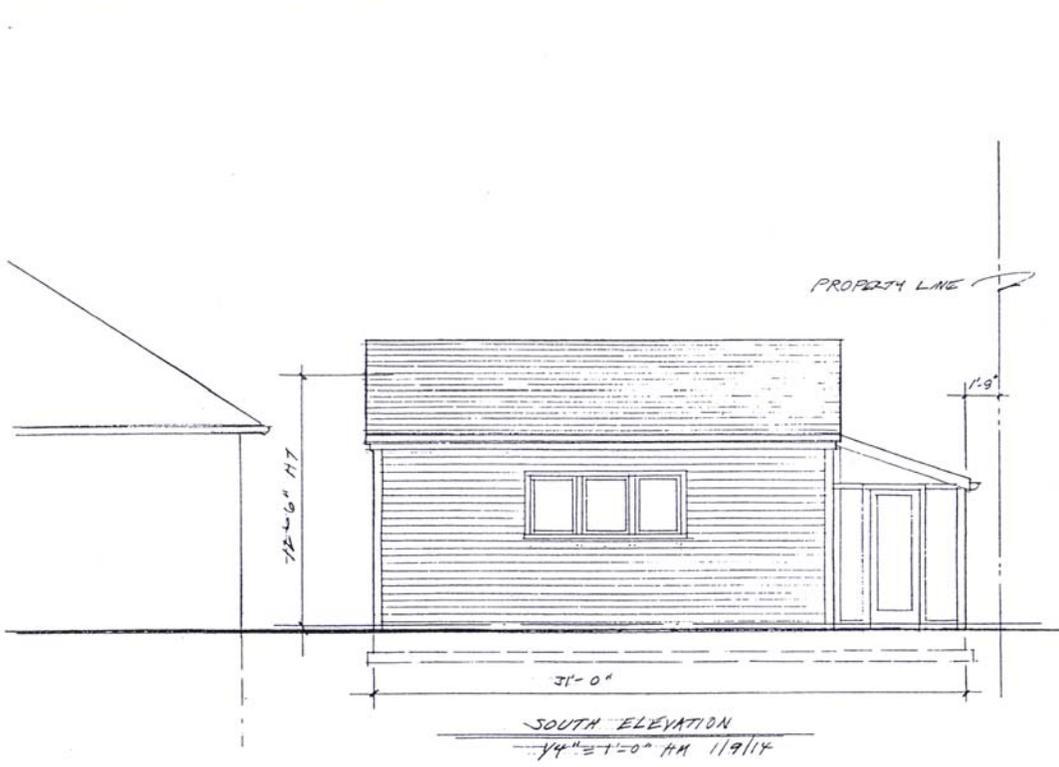


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| MACKENZIE ARCHITECTURE, INC. 337 DE MARTIN LUTHER KING, JR. BLVD. (503) 252-8242 © MACKENZIE ARCHITECTURE, INC. 2013 | |
| BREANNE OSWILL & MATVEY REZANOV GARAGE STUDIO 6336 N. DETROIT AVENUE PORTLAND, OREGON 97217 | |
| Drawn By | MM |
| Date | 11/1/13 |
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| Drawn By | MM |
| Date | 11/1/13 |
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