



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: March 6, 2014
To: Interested Person
From: Sheila Frugoli, Land Use Services
503-823-7817 / Sheila.Frugoli@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 March 27, 2014.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 14-111458 AD, in your letter. It also is helpful to address your letter to me, Sheila Frugoli.

CASE FILE NUMBER: LU 14-111458 AD

Applicant: Aaron Blake, Consultant
Reworks Inc.
P.O. Box 454
Corbett, OR 97019
(503) 880-1306

Owners: Peter Teneau and Nancy Cushwa
2715 N Terry St
Portland, OR 97217-6251

Site Address: 2702 N WINCHELL ST

Legal Description: BLOCK 11 LOT 23-25, PENINSULAR ADD
Tax Account No.: R655104260, R655104260
State ID No.: 1N1E09CD 01000, 1N1E09CD 01000
Quarter Section: 2227

Neighborhood: Kenton, contact Steve Rupert at 503-317-6573.
Business District: Kenton Business Association, contact Jessie Burke at 971-404-9673.
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

Plan District: None
Zoning: R5a, Single-Dwelling Residential zone 5,000 and "a" Alternative Design Density overlay zone

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

Proposal: In order to receive a Building Permit to convert a recently constructed 2-story detached artist's studio into an Accessory Rental Unit (ADU), the applicant is requesting the following two Adjustments: (1) allow the ADU to exceed the maximum allowed height from 18 to 21.5 feet (33.205.030.D.2) and (2) reduce the required rear building setback from 5 feet to 3 feet for a portion of the building that projects 2 feet from the south wall (33.110.220).

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The Adjustment Review 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, or if in an 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; *(not applicable)* and
- D. City-designated scenic resources and historic resources are preserved; *(not applicable)*
- 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; *(not applicable)*

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 January 30, 2014 and determined to be complete on February 28, 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, Oregon 97301-1283. 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).

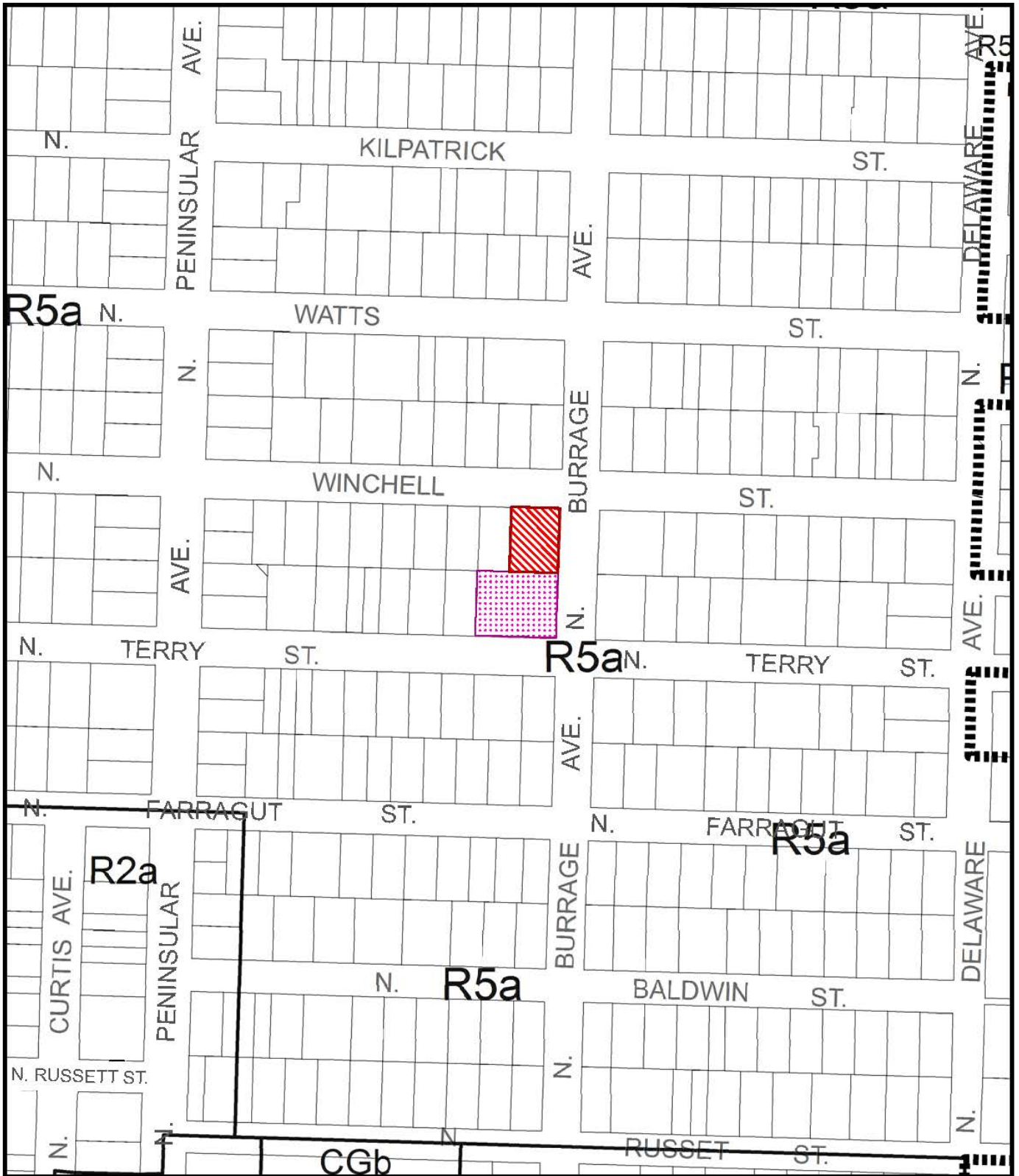
Enclosures:

Zoning Map

Site Plan

South and East Building Elevations

North and West Elevations



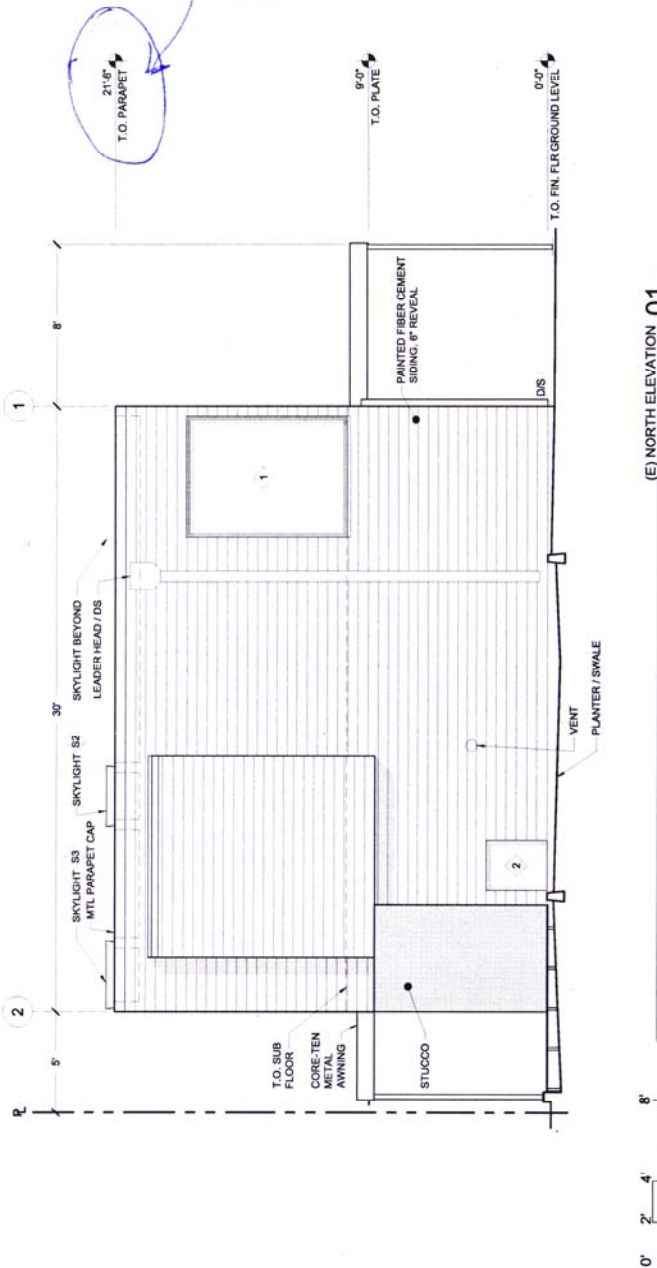
ZONING

-  Site
-  Also Owned

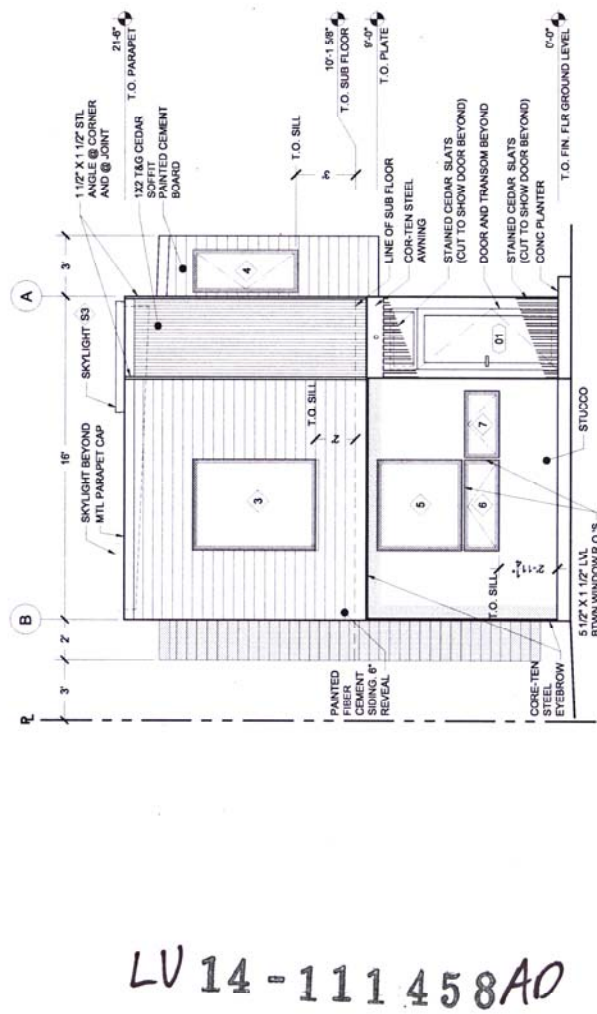


File No. LU 14-111458 AD
 1/4 Section 2227
 Scale 1 inch = 200 feet
 State_Id 1N1E09CD 1000
 Exhibit B (Feb 04, 2014)

*Increase height
from allowed
18 to 21.5 feet
for ADU*



(E) NORTH ELEVATION 01



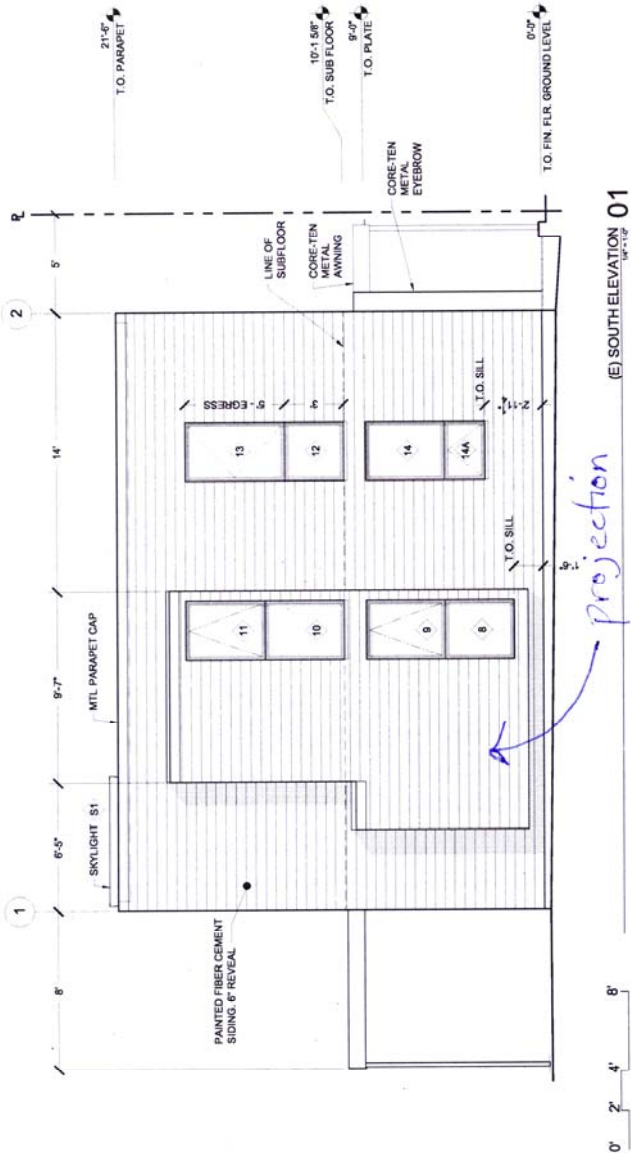
(E) WEST ELEVATION 01

LU 14 - 111 458 AD

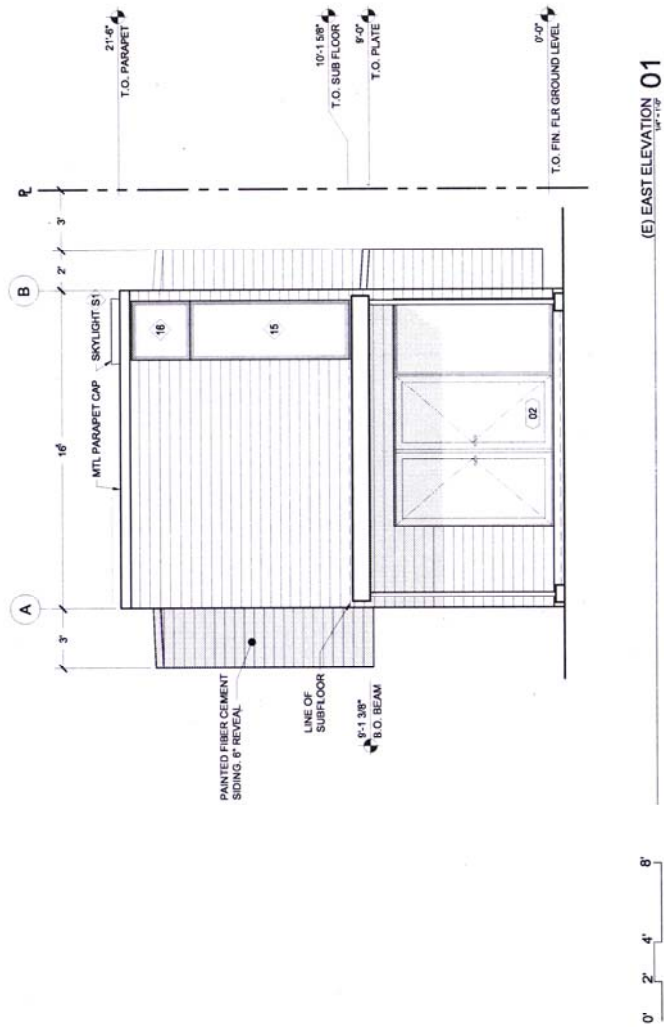
B STREET ADU
 2702 N. WINCHELL
 PORTLAND, OR 97217

PROJECT: 12-007
 2702 N. WINCHELL ST
 PORTLAND, OREGON 97217
 SET | DATE:
 CD | MT
 JAN 17, 2013

DRAWING
A3.1
 SOUTH & WEST
 ELEVATION



(E) SOUTH ELEVATION 01



(E) EAST ELEVATION 01

LV 14-111 458 AD