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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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: April 25, 2014

To: Interested Person

From: Matt Wickstrom, Land Use Services
503-823-6825 / Matt.Wickstrom@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 May 16, 2014**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 14-134967 AD , in your letter. It also is helpful to address your letter to me, Matt Wickstrom.

CASE FILE NUMBER: LU 14-134967 AD

Applicant: Larry R Cowlishaw
14604 SE Mill St
Portland, OR 97233-2667

Site Address: 8742 N DELAWARE AVE

Legal Description: BLOCK 3 LOT 9 EXC PT IN ST, NATIONAL ADD
Tax Account No.: R598300980, R598300980, R598300980
State ID No.: 1N1E09AC 01700, 1N1E09AC 01700, 1N1E09AC 01700
Quarter Section: 2128
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: Kenton
Zoning: R2ad (Residential 2,000 with an Alternative Design Density Overlay Zone and a Design Overlay Zone)
Case Type: AD (Adjustment)
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:
The applicant proposes to construct a single-dwelling residence with an accessory dwelling unit on this 25-foot wide, steeply sloping site. Side building setbacks in the R2 zone are based on area of the building wall. The north building wall of the proposed home measures 1,886 square feet in area and the south building wall measures 1,893 square feet in area. Building walls of this size require 8-foot setbacks. Through this Adjustment Review, the applicant has proposed 5-foot side setbacks. As mitigation for the proposed side setback Adjustments, the applicant

proposes broad horizontal bands between each floor to break up the massing of the façade. The applicant also proposes to plant evergreen trees and/or shrubs to help screen a lower portion of the rear of the house.

Relevant Approval Criteria:
Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

- **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; and *(not applicable)*
- **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)*

The purpose of the setbacks in multi-dwelling residential zones is found in Section 33.120.220 of the Portland Zoning Code:

The building setback regulations 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 multi-dwelling development 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*
- *Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users.*
- *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 April 3, 2014 and determined to be complete on **April 23, 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.

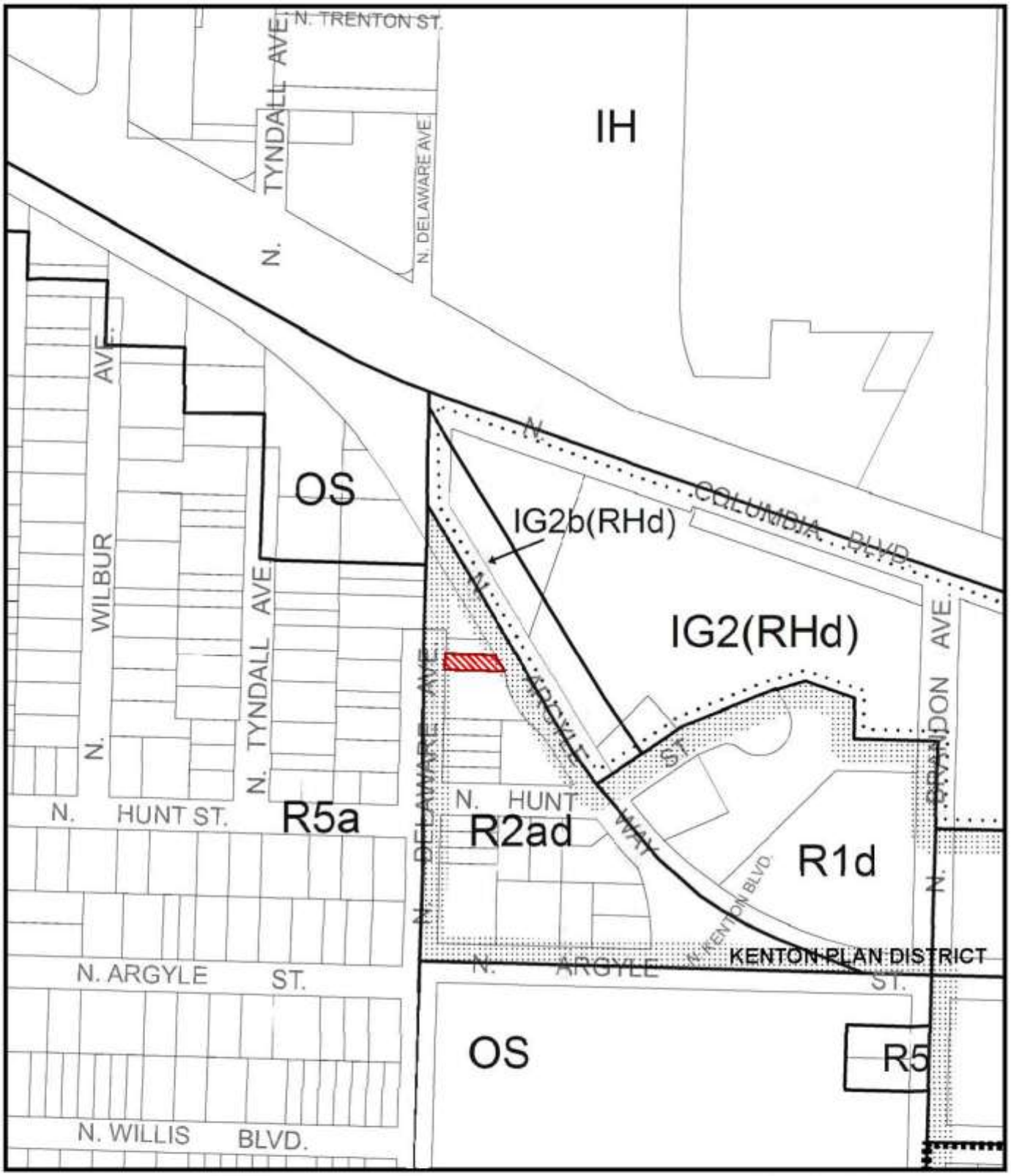
There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

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
Elevation Drawings



ZONING

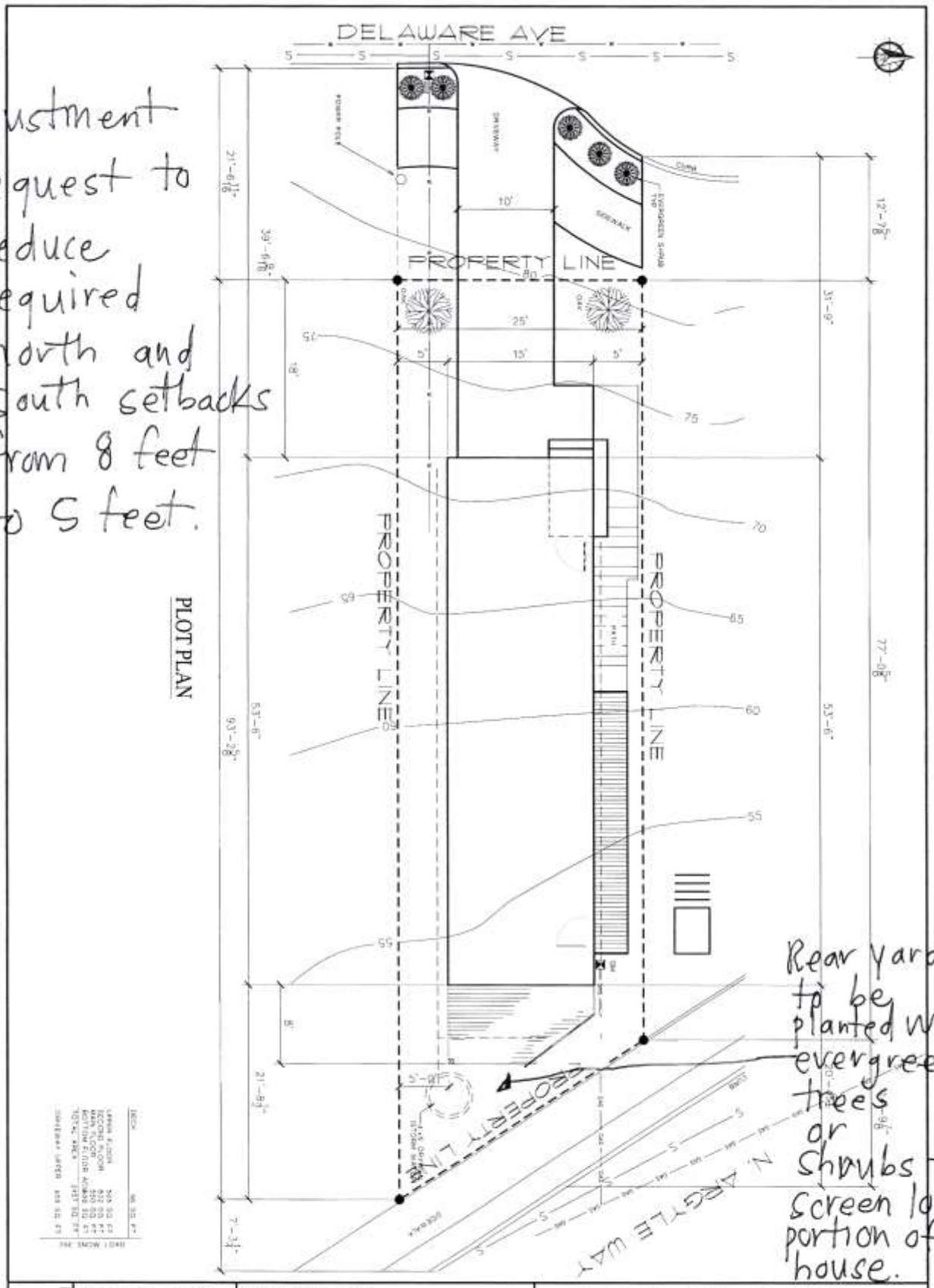
Site

NORTH

This site lies within the:
KENTON PLAN DISTRICT

File No. LU 14-134967 AD
1/4 Section 2128
Scale 1 inch = 200 feet
State_Id 1N1E09AC 1700
Exhibit B (Apr 07,2014)

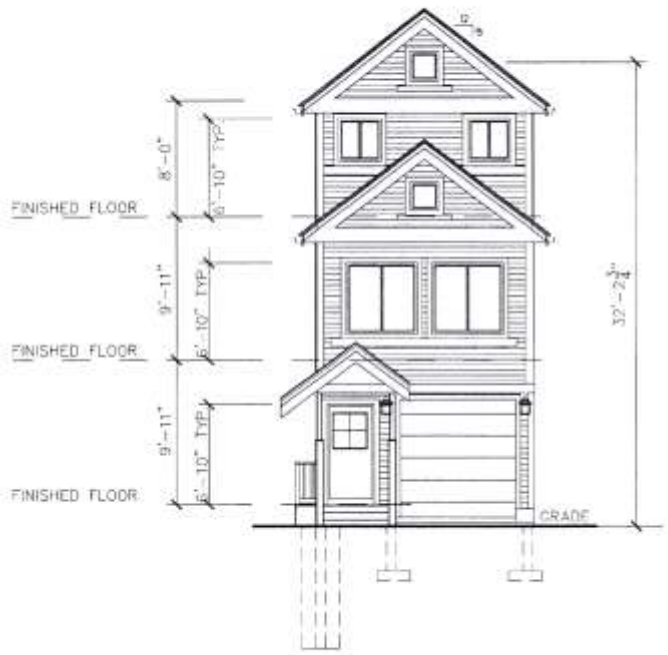
Adjustment request to reduce required north and south setbacks from 8 feet to 5 feet.



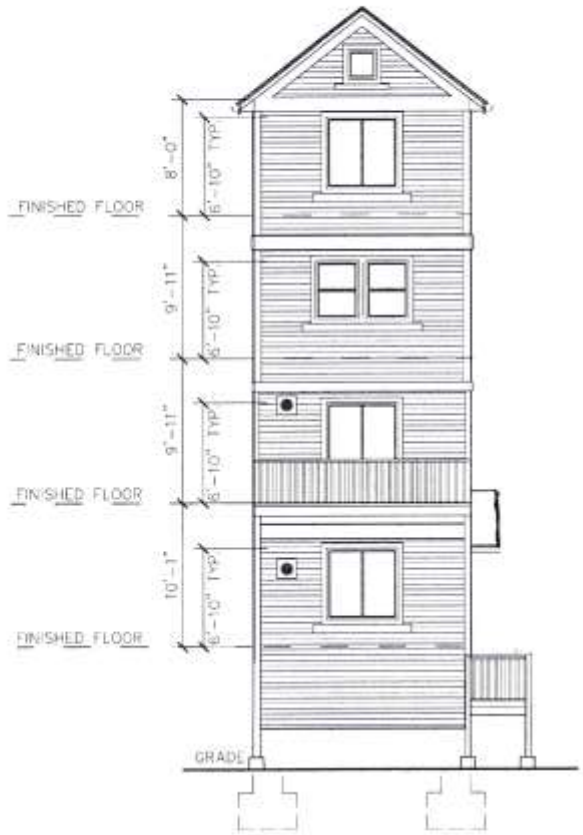
Rear yard to be planted with evergreen trees or shrubs to screen lower portion of house.

DWG. NO. 1 REV. 1	DRAWN BY: LBC DATE 3/6/2014 SCALE: 1/4"=1'-0" HALF SCALE: 1/8"=1'-0"	PLOT PLAN - ADU DELAWARE : PROPERTY ID R224798 PORTLAND, OR 97217	METHOD CONSTRUCTION INCORPORATED LARRY COWLISHAW PO Box 33822 Portland, OR 97292 Tel.: (503) 688-8298 OR CCB #189698 Email rick_lrc@yahoo.com

W14-134967AD



FRONT ELEVATION



REAR ELEVATION

DECK	SQ FT
UPPER FLOOR	505 SQ FT
SECOND FLOOR	402 SQ FT
MAIN FLOOR	550 SQ FT
BOTTOM FLOOR	400 SQ FT
TOTAL AREA	2457 SQ FT
DRIVEWAY UPPER	409 SQ FT

2SE SNOW LOAD

METHOD CONSTRUCTION INCORPORATED
LARRY COWLISHAW PO Box 33822 Portland, OR 97292
Tel.: (503) 688-8298 OR CCB #189698 Email rick_lrc@yahoo.com

FRONT AND REAR ELEVATIONS
DELAWARE : PROPERTY ID R224798
PORTLAND, OR 97217

DRAWN BY: LBC
DATE 3/6/2014
SCALE: 1/4"=1'-0"
HALF SCALE: 1/8"=1'-0"

DWG. NO.
4
rev. 1

LEFT ELEVATION

North elevation

DECK	96 SQ. FT.
UPPER FLOOR	505 SQ. FT.
SECOND FLOOR	802 SQ. FT.
MAIN FLOOR	590 SQ. FT.
BOTTOM FLOOR ADJ	600 SQ. FT.
TOTAL AREA	2497 SQ. FT.
DRIVEWAY UPPER	409 SQ. FT.

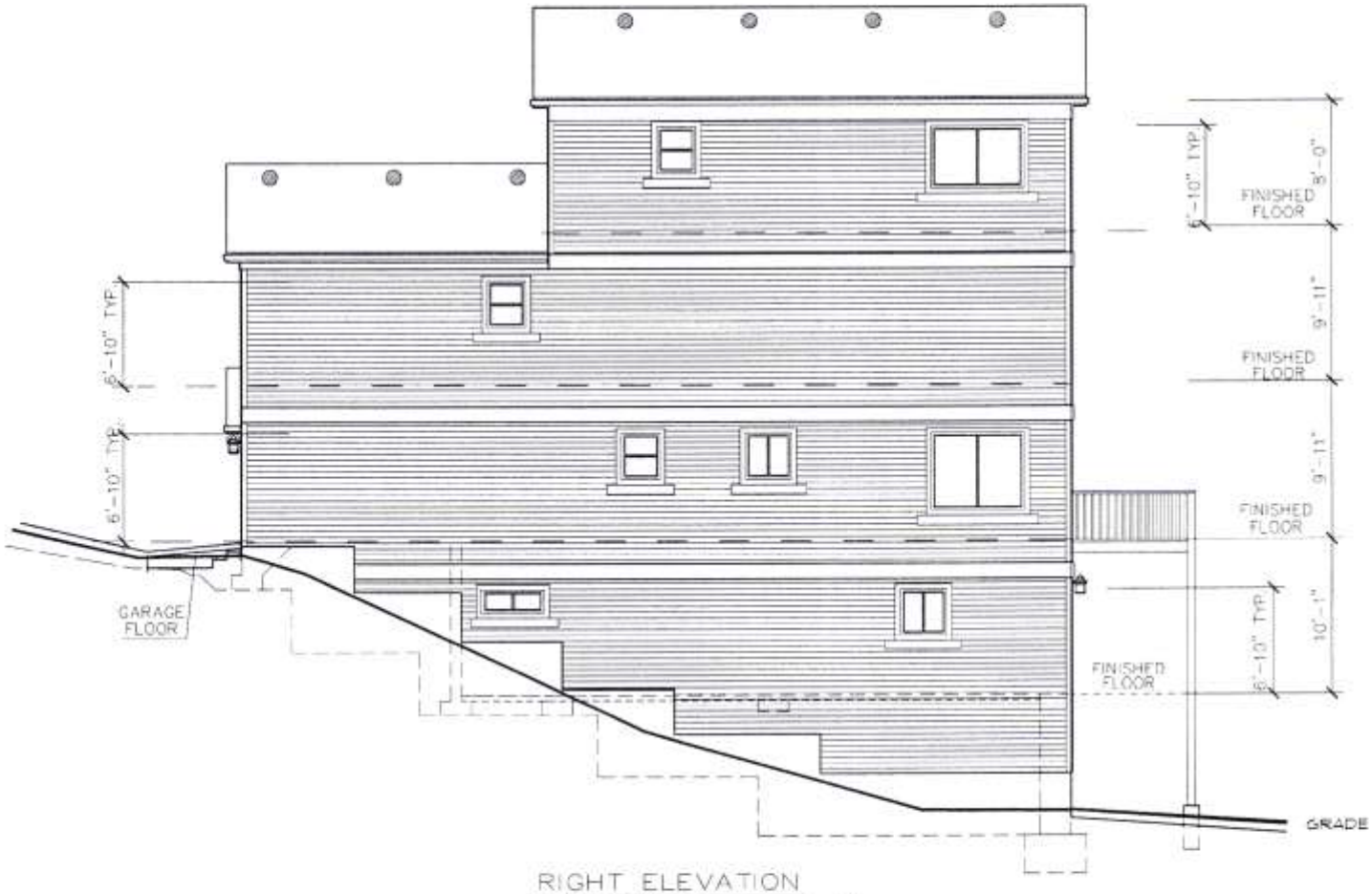
20# SNOW LOAD

METHOD CONSTRUCTION INCORPORATED
LARRY COWLISHAW PO Box 33822 Portland, OR 97292
Tel.: (503) 688-8298 OR CCB #189698 Email rick_lrc@yahoo.com

LEFT ELEVATION
DELAWARE : PROPERTY ID R224798
PORTLAND, OR 97217

DRAWN BY: LBC
DATE 3/6/2014
SCALE: 1/4"=1'-0"
HALF SCALE: 1/8"=1'-0"

DWG. NO.
3



RIGHT ELEVATION

South elevation

DECK	96 SQ. FT.	
UPPER FLOOR	505 SQ. FT.	25# SNOW LOAD
SECOND FLOOR	802 SQ. FT.	
MAIN FLOOR	550 SQ. FT.	
BOTTOM FLOOR ADDED	500 SQ. FT.	
TOTAL AREA	2457 SQ. FT.	
DRIVEWAY UPPER	409 SQ. FT.	

METHOD CONSTRUCTION INCORPORATED
LARRY COWLISHAW PO Box 33822 Portland, OR 97292
Tel.: (503) 688-8298 OR CCB #189698 Email rick_lrc@yahoo.com

RIGHT ELEVATIONS
DELAWARE : PROPERTY ID R224798
PORTLAND, OR 97217

DRAWN BY: LBC
DATE 3/6/2014
SCALE: 1/4"=1'-0"
HALF SCALE: 1/8"=1'-0"

DWG. NO.
2
rev.