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: May 9, 2014

To: Interested Person

From: Chris Caruso, Land Use Services
503-823-5747 / Chris.Caruso@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 30, 2014**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 14-129802 DZ, in your letter. It also is helpful to address your letter to me, Chris Caruso. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 14-129802 DZ – NEW ACCESSORY DWELLING UNIT

Applicant/Owner: Bill Lenz/Lenz & Dyer Properties LLC (503-282-4696)
5556 SE Hewitt Blvd/Portland, OR 97221

Site Address: 40 SE 106TH AVE

Legal Description: TL 5300 0.30 ACRES, SECTION 34 1N 2E
Tax Account No.: R942342150, R942342150, R942342150
State ID No.: 1N2E34CC 05300, 1N2E34CC 05300, 1N2E34CC 05300
Quarter Section: 3041
Neighborhood: Hazelwood, contact Arlened Kimura at 503-252-9429.
Business District: Gateway Area Business Association, contact Fred Sanchez at 503-256-3910.
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.
Plan District: Gateway
Zoning: R1d – Multi-Dwelling with design overlay
Case Type: DZ – Design Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:
The applicant seeks design review approval for construction of a one-story accessory dwelling unit (ADU) with a small entry gable overhang and front entry steps, on the subject property, in the Gateway Plan District. The ADU will be 579 SF in area, located near the northeast corner of the site, behind the existing house and will feature the following materials and finishes:

- Concrete foundation exposed above grade for 6";
- Vinyl single-hung and slider windows to match the existing house;
- A 6-panel fiberglass entry door to match the existing house;
- Asphalt roof shingles with metal gutters and downspouts to match the existing house;
- 8" and 4" cement fiber lap siding;
- 4" wide wood window and door trim to match the existing house;
- cedar entry roof support brackets;
- wood fascia trim to match the existing house; and
- 2 composite wood front entry steps.

Design review is required for new construction in the Gateway Plan District.

Relevant Approval Criteria:
In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant criteria are:

- 33.825 Design Review
- Gateway Regional Center Design Guidelines

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 March 21, 2014 and determined to be complete on May 6, 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.

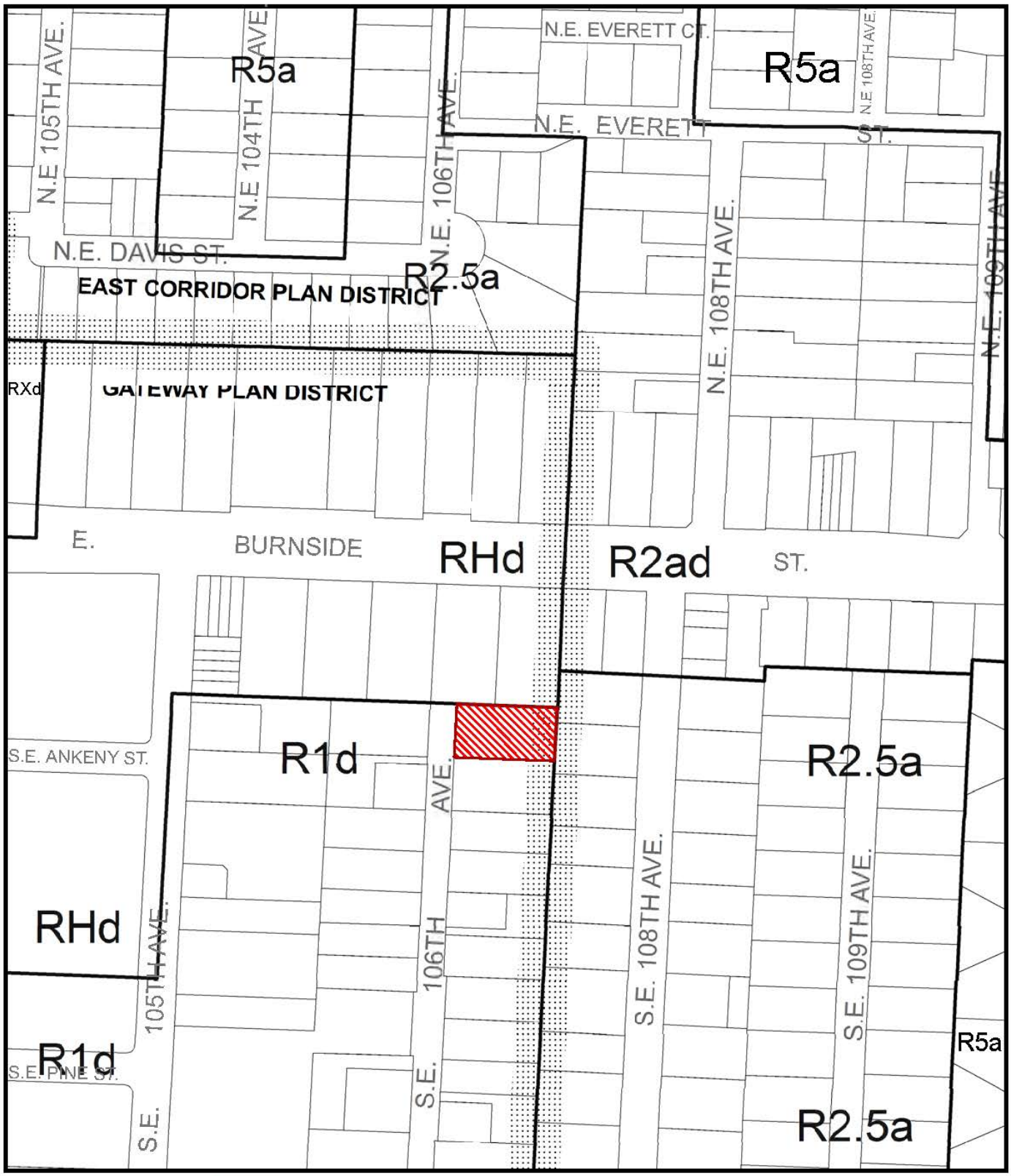
APPEAL PROCESS
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Design Commission. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how 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
Elevations



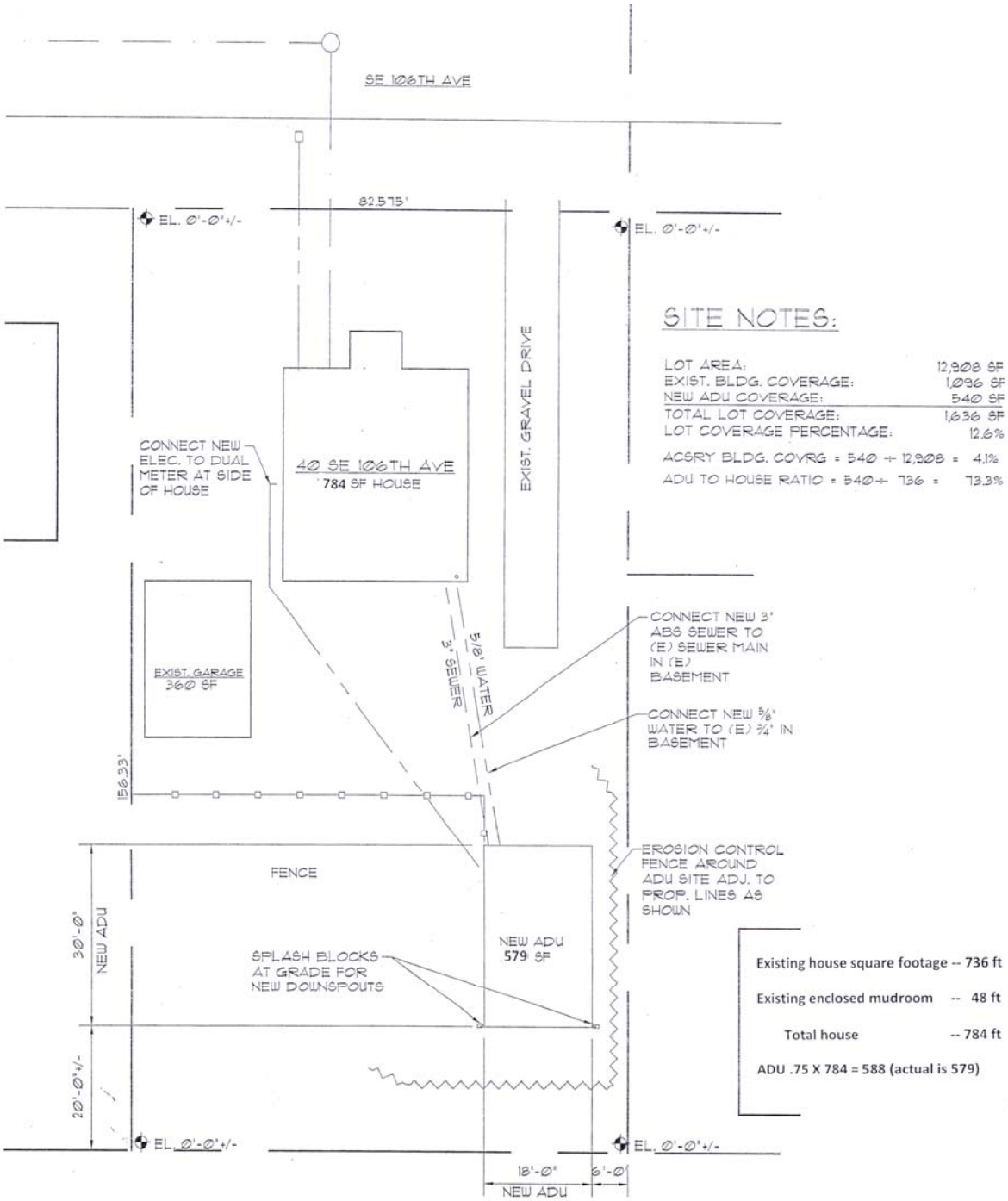
ZONING

Site

This site lies within the:
GATEWAY PLAN DISTRICT

NORTH

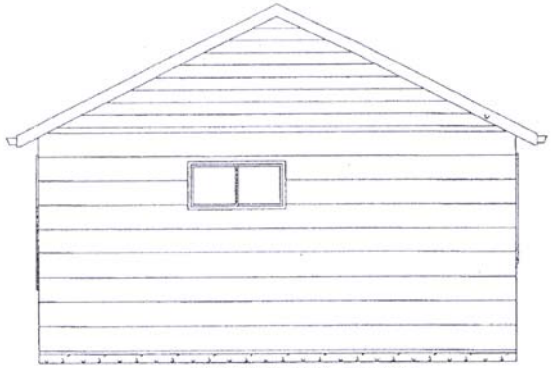
File No.	LU 14-129802 DZ
1/4 Section	3041
Scale	1 inch = 200 feet
State_Id	1N2E34CC 5300
Exhibit	B (Mar 26,2014)



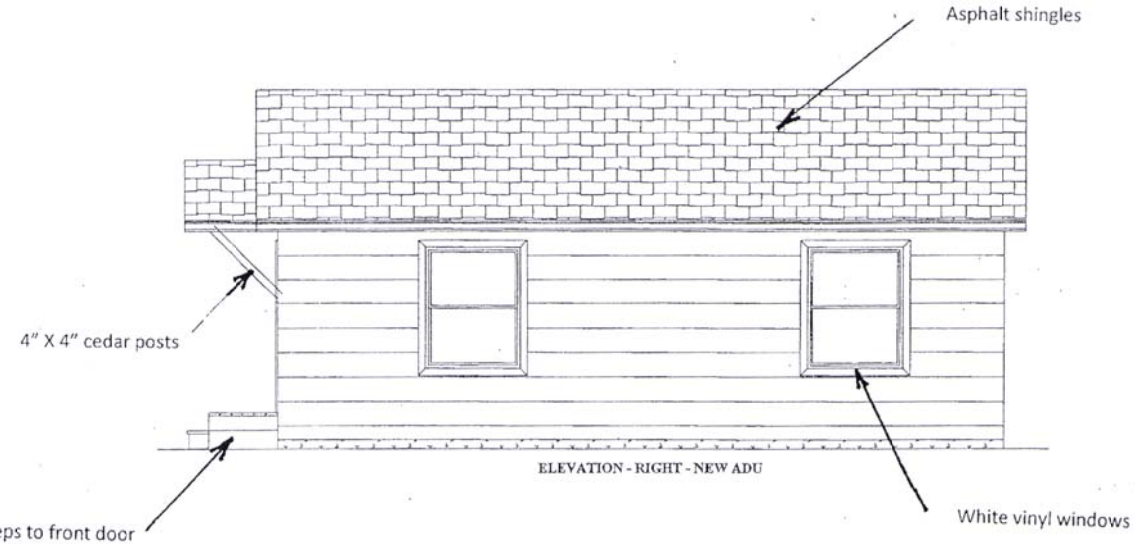
1 SDI SITE PLAN

1/16" = 1'-0"

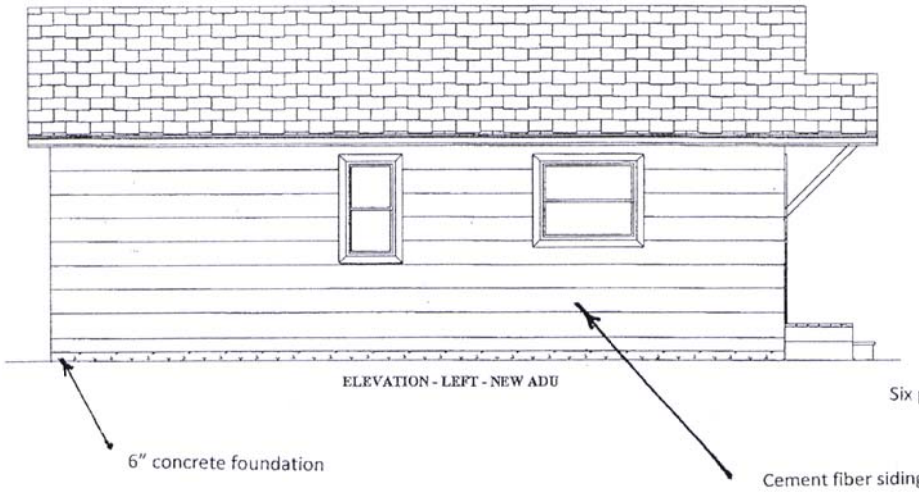
Sheet 1 of 7 sheets	February 2014	Property ID R319838 County MULTNOMAH State ID 1N2E34CC 5300 Site Address 40 SE 106TH AVE	FLOOR PLAN 1/4" = 1'	R & R Energy Resources, Inc. 2401 NE MLK Jr. Blvd Portland, OR 97212 503.287.3670	



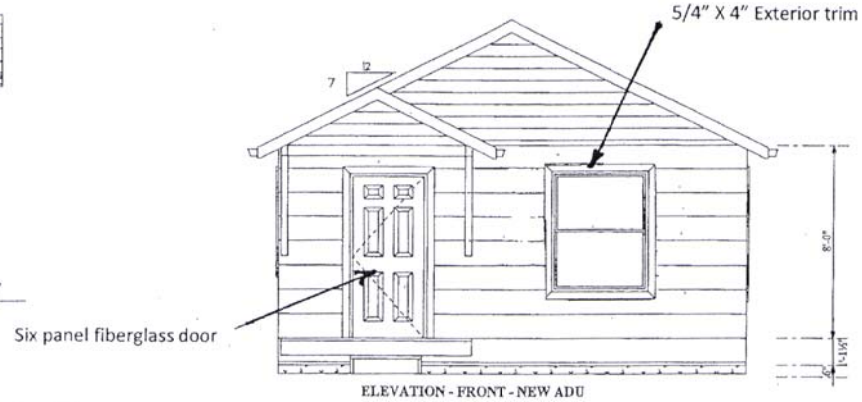
ELEVATION - REAR - NEW ADU



ELEVATION - RIGHT - NEW ADU



ELEVATION - LEFT - NEW ADU



ELEVATION - FRONT - NEW ADU

R & R Energy Resources, Inc.
2401 NE MLK Jr. Blvd
Portland, OR 97212 503.287.3670

SECTIONS
3/16" = 1'

Property ID R319838
County MULTNOMAH
State ID 1N2E34CC 5300
Site Address 40 SE 106TH AVE

February 2014

Sheet 3
of 7 sheets