



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

FROM CONCEPT TO CONSTRUCTION

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**Date:** June 17, 2014  
**To:** Interested Person  
**From:** Lois Jennings, Land Use Services  
503-823-2877 or [lois.jennings@portlandoregon.gov](mailto:lois.jennings@portlandoregon.gov)

## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has **denied** a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 13-210607 AD**

#### **GENERAL INFORMATION**

**Applicant:** Rob Humphrey, consultant  
Faster Permits  
14334 NW Eagleridge Lane  
Portland, OR 97229

**Owner:** Victor Remmers  
Everett Custom Homes Inc.  
735 SW 158<sup>th</sup> Ave, Suite 180  
Beaverton, OR 97006

**Site Address:** 2057 NW RAMSEY DR

**Legal Description:** BLOCK 3 Portion of Lot 3, Lot 4 and Portion of Lot 5 of SKYLINE HTS  
**Tax Account No.:** R773800670  
**State ID No.:** 1N1W25CD 01500  
**Quarter Section:** 2821  
**Neighborhood:** Forest Park, contact Jerry Grossnickle at 503-289-3046.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Plan District:** Northwest Hills – Skyline subdistrict

**Zoning:** R10- Single Dwelling Residential 10,000 Zone, The Site is within the Skyline Subdistrict of Northwest Hills Plan District

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

**Proposal:** A concurrent Lot Confirmation and Property Line Adjustment(PLA) is currently under separate review to relocate the existing lot line (between originally platted Lot 4 & Lot 5) and move it west of the existing house to create two separate properties, which are identified as

Tract 1 and Tract 2 on the site plan. Tract 2 will be 10,693 square feet and contain the existing house; the other property, identified as Tract 1, will be 6,047 square feet and will be west of the existing house. Tract 1 will be vacant and available for development. The proposed new lot line will be located 6 feet from the existing house.

Development standards for the R10 zone require buildings to be set back a minimum of 10 feet from side lot lines (Zoning Code Section 33.110.220.B). The applicant is therefore requesting an Adjustment to reduce the minimum required west side building setback for the existing house from 10 feet to 6 feet..

Zoning Code Section 33.110.220.C allows minor features of a building, such as eaves and chimneys to extend into the required building setback up to 20 percent of the depth of the setback. In the R10 zone, twenty percent (20%) of 10 feet would be 8 feet. The Adjustment request is also to reduce the required setback for eave from 8 feet to 5 feet and for the chimney 8 feet to 4 feet.

This Adjustment request to modify the required side setback is required to be able to proceed with the Property Line Adjustment request

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of 33.805.040 A.-F., Adjustments.

## ANALYSIS

**Site and Vicinity:** The subject site is 17,640 square feet in area. The site slopes slightly downward from NW Ramsey Drive towards NW Walmar Drive. This property is considered a through lot since it has frontages which abut NW Ramsey Drive and NW Walmar Drive. Both NW Ramsey Drive and NW Walmar Drive are narrow paved local roads with no curbs or sidewalks. An existing two-story single family residence is located near the center of the site and surrounded by mature trees and other landscaping. Existing shrubs and trees provide a landscape screen of the house from NW Walmar. Along the NW Ramsey frontage the house is more visible from the street and adjacent neighbors.

The site is surrounded by properties that are within unincorporated Multnomah County. The City of Portland has an intergovernmental agreement to implement the zoning and building permits for this pocket area of Multnomah County. This particular property annexed into the City of Portland in September of 2013. The surrounding area is an established residential neighborhood, with similar character and style of homes with established physical relationships between each house. Properties surrounding the site are very similar in lot area (11,000-32,000 square feet or more) and are developed predominantly with large single-story ranch style or split-level ranch style homes and/or two story homes. Within the immediate area there are only a few homes that are two or more stories above street grade.

**Zoning:** The R10 zone that allows a maximum density of 1 unit per 10,000 square feet. The use regulations of the Single-dwelling zones are intended to create, maintain and promote single dwelling neighborhoods. The development standards work together to preserve the character of the neighborhoods, and promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods.

The Northwest Hills Plan District (Chapter 33.563) protects sites with sensitive and highly valued resources and functional values. The plan district also promotes the orderly development of the Skyline subdistrict while assuring that adequate services are available to support development. The provisions of the Plan District are not relevant to this review.

**Land Use History:** City records indicate prior land use reviews for this site include the following:

- ❖ MUP 3-89 LE: The application for a Lot Exception was withdrawn (Multnomah County Review).
- ❖ MUP 3-94 LE: The application for a Lot Exception was withdrawn (Multnomah County Review).
- ❖ MUP 4-95 HV: Through an Administrative Decision, Multnomah County approved a Major Variance to reduce the front and rear setbacks for the proposed house from 30 feet to 20 feet subject to conditions. The zoning on the site was Rural Residential (RR) at the time of this Major Variance review.

Other Land Use Actions that have occurred on the site which are not considered a land use review include the following:

- ❖ Ordinance # 186206 (Case # A-1-13) passed by Portland City Council on September 4, 2014, approved the Annexation of this site into the City of Portland.
- ❖ 13-208884 PR- A Lot Confirmation with a Property Line Adjustment (PLA) was approved which confirmed a Lot of Record and moved the common lot line between Adjusted Lot 3 and 4 to the west 20 feet to create Tract 1 and retained the existing house on Tract 2.
- ❖ 13-208913 PR- An application for lot confirmation with a Property Line Adjustment is currently under review.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **May 19, 2014**. The following Bureaus have responded with no issues or concerns:

Bureau of Transportation (Exhibit E.2);  
 Water Bureau (Exhibit E.3);  
 Fire Bureau (Exhibit E.4);  
 Life Safety Section of BDS (Exhibit E.5.);  
 Site Development Section of BDS (Exhibit E.6);  
 Bureau of Parks-Forestry Division (Exhibit E.7); and  
 Tualatin Valley Fire Bureau (Exhibit E.8).

The **Bureau of Environmental Services (BES)** responded with the following comments (Exhibit E.1):

- The following comments are based on the land use review documents and plans provided to the Bureau of Environmental Services (BES). The applicant may contact above listed staff with questions about the information presented in this memo.

#### **A. RESPONSE SUMMARY**

**BES does not object to the requested side setback adjustment.** Note that this land use application does not alter BES requirements as identified under property line adjustment #13-208913, which is currently under review.

#### **B. SANITARY SERVICE**

##### *1. Existing Sanitary Infrastructure:*

- a. There is an 8-inch PVC public sanitary-only sewer in NW Walmar (BES as-built EP8575). The sewer terminates approximately 97 feet south from the northern property line with 2062 SW Ramsey.
- b. The sewer is currently available to the subject lot since the lot annexed into the City of Portland as of 9/4/13.
- c. The existing house recently connected to the angled sewer lateral in NW Walmar. The connection (13-231132 UC) and plumbing permits (13-240371 PT) were finalized on 12/23/13. The lateral serving the existing house crosses the proposed property line, is connected to that termination manhole, and is

located approximately 106 feet from the northernmost property line. This lateral would be available to the vacant lot once the sewer extension and property line adjustment are complete.

- d. There is no available sewer for the new lot that has the existing house. BES requires a sewer extension in NW Walmar Dr. to provide available sewer service for the proposed lot of the existing home. The sewer is required to be extended to the frontage of the proposed lot with the existing home. A Public Works permit will be required but has yet to be initiated with the City, as of this date.
- e. Prior to approval of the Property Line Adjustment, a new sewer will need to be constructed with sanitary connection and plumbing permits finalized for the existing house prior to BES approval of the property line adjustment. The applicant should contact Public Works staff (503.823.1987) to initiate the permit process. The applicant should explore whether a Simplified Public Works permit is available for the sewer extension.

### **C. STORMWATER MANAGEMENT**

1. Existing Stormwater Infrastructure:
  - a. There is no public storm-only sewer available to this property.
  - b. Based on provided plans, stormwater from the existing house discharges across the new property line and to the public right-of-way.
  - c. A stormwater retrofit appears to be necessary since stormwater is not allowed to discharge across new property lines. BES requires resolution prior to approval of the PLA.

A side setback adjustment will not hinder the applicant from achieving standard stormwater or sanitary services. Additional work is required to be completed by BES before the proposed property line is established.

**Neighborhood Review:** A total of 12 written responses have been received from notified property owners in response to the notice of proposal and one response from the Neighborhood Association (Forest Park).

The concerns raised by the nearby neighbors are summarized below:

- The new lot will not be the same size as existing lot sizes within this neighborhood.
- Reduction of side setback will be out of character with the existing residences in the neighborhood.
- Infill housing on smaller lot areas will detract from the livability and appearance of the neighborhood.
- Character of the neighborhood includes consistent lot size and house size.
- No mitigation is proposed in association to this request to reduce the side setback.
- Unable to assess the impacts of the setback request since not enough information was provided for what will be planned for the adjoining lot.
- Reduction in setback does not maintain the character of R10 zoning development standards in relationship to established houses on large lots within this neighborhood.
- The proposed development would insert small high density development within our well established, well-spaced lots.
- Existing homes have a distance of 10 feet or more to property lines.
- Choose to live in the neighborhood due to the comfort and privacy afforded by our lot sizes.

Staff will respond to majority of these concerns under the appropriate approval criteria. However, there are other concerns raised by the neighbors and neighborhood association in their letters that are not related to the Adjustment request, including the following:

- No notice was given for either first Lot Confirmation with a Property Line Adjustment or the second Lot Confirmation with a Property Line Adjustment which is currently under review.
- The second Lot Confirmation with a Property Line Adjustment is dependent upon this side setback adjustment request therefore should be included as part of the land use review action.

**Staff Response:** The City refers to State Law ORS 92.017; and City Of Portland Zoning Code Section 33.110.212 (When Primary Structures are Allowed) and 33.910(Definitions) for the definition of Lot, Lot of Record, Lot Remnant, Adjusted Lot when determining if a Lot Confirmation may occur on a property. When reviewing a property line adjustment the regulations of Section 33.667 apply. A property line adjustment is a relocation of a single common property line between two properties. A Property Line Adjustment is a non-discretionary, administrative procedure. No notice is required to process a non-discretionary administrative procedure.

This Type II Land Use Review only involves one adjustment request to the Side Setback Development Standard (Section 33.110.220 of Portland Zoning Code). The Lot Confirmation with a Property Line Adjustment Request is reviewed separately.

- Maximum density in an R10 zone is 1 unit per 10,000 square feet in area and this would allow two lots where there was only one, which exceeds the density for the site area. Therefore this adjustment request is prohibited by Section 33.805.030.B.7.
- This is not a high density neighborhood

**Staff Response:** No adjustment to density is being requested as part of this land use review. Density is not addressed as part of the Lot Confirmation process when reconfirming a Lot, Lot of Record or Adjusted Lot as allowed by ORS 92.017(Recognizing lawfully created lots and parcels) and City of Portland Zoning Code Section 33.110.212 (When Primary Structures are Allowed).

- Lot Area of Future Tract 1

**Staff Response:** The lot size and dimensions of the future lot are not part of this land use review. Lot area and lot dimensions for the future lots (Tract 1 and Tract 2) are reviewed as part of the Property Line Adjustment Application review process under Section 33.667.300. The minimum lot area in the R10 zone per Table 610-2 is 6,000 square feet. No adjustment is required to have a lot area of 6,000 square feet in this R10 single family residential zone.

- What will happen to the established mature trees on the site

**Staff Response:** The existing trees are not part of this land use review. No tree preservation plan is required as part of this land use review. Tree preservation is addressed at the time of development per Section 33.110.282 (Trees) and 33.248.020.H (T1 Trees). These regulations would allow of the option to plant trees, preserve existing trees or contribute into the Tree Fund or a combination of the three to meet the T1 tree requirement at the time of development.

- Stormwater and Slope Stability Concerns

**Staff Response:** Bureau of Environmental Services will review stormwater for the existing house in association to Property Line Adjustment request (see comments above under Agency Review Responses) and also at the time of development of the future lot. Slope stability is reviewed by the Site Development Section of the Bureau of Development Services at the time of development.

- Status of the Independent Ramsey Walmar Road District for this proper

**Staff Response:** The best documentation available is from Multnomah County Right-of-Way Section which indicates this road district was formed in 1985 and remains an active taxing district. Questions regarding status of Ramsey-Walmar Road District should be directed to the Portland Bureau of Transportation.

- Future Development

**Staff Response:** The future development is not part of this land use review.

## ZONING CODE APPROVAL CRITERIA

### 33.805.040 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**

The proposal is to reduce the side setback for the existing single-dwelling residence on this lot to the future new property line from 10 feet to 6 feet, and to allow the chimney and eaves to encroach into this reduced setback. The existing chimney would be 4 feet to the new proposed property line and the eaves 5 feet to the new proposed property line.

**The purpose of the building setback regulation (Section 33.110.220) is as follows:**

- ❖ *They maintain light, air, separation for fire protection, and access for firefighting;*
- ❖ *They reflect the general building scale and placement of houses 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*
- ❖ *They provide room for a car to park in front of a garage door without overhanging the street for sidewalk, and they enhance driver visibility when backing onto the street.*

**Findings:**

- **They maintain light, air, separation for fire protection, and access for firefighting;**

**Findings:** The applicant is not required to submit a house plan for future Tract 1 and did not submit a solar/shade analysis to document that a separation of approximately 16 feet (6 feet on future Tract 2 and the minimum required side setback of 10 feet on future Tract 1 provides sufficient space for light and air separation. However, given that a large section of Portland is zoned R5 and requires only 10 feet of separation (5 foot setbacks on each side) staff must conclude that 16 feet will be sufficient.

No concerns were raised by the Bureau of Development Services Life Safety Plans Examiner (Building Code) or the Fire Bureau regarding fire separation and access for fire protection in relationship to the reduced setback.

- **They reflect the general building scale and placement of houses in the City's neighborhoods;**

**Findings:** One neighbor's letter states, "Every house in the immediate vicinity has at least 10

feet and usually 30 feet from house to lot line for the abundance of gardens, play areas and access to backyards.” Another neighbor states, “these are well established spaced lots”.

A 6 foot side setback in association to a two story house is not a reflective of the building scale and placement of homes within the neighborhood. Through the review of aerial photos (Exhibit H.2), two site visits, and a review of issued building permits on file (Exhibit H.1), staff has determined there is a minimum side setback of 10 feet or more for existing ranch, split-level and two-story homes within the parameters of this specific Skyline Heights Subdivision neighborhood (see Exhibit H.2 and H.3).

- **They promote a reasonable physical relationship between residences;**

**Findings:** A reduction in the 10 foot setback to 6 feet (and less for the eaves and chimney) would reduce the intended physical relationship between residences from a 20 feet setback to 16 feet (14 feet to the chimney projection and 15 feet to the eaves). As mentioned in neighbor’s letters; houses within this neighborhood are typically at a minimum of 10 feet or more to the property line, which results a minimum of 20 feet or more between residences.

- **They promote options for privacy for neighboring properties;**

**Findings:** The combination of the large setbacks (Front = 20 ft; Side = 10 ft. Rear = 10 ft) and large lot areas within the R10 zone creates more privacy between properties. A reduction in the 10 foot setback to 6 feet would reduce the physical relationship between residences from 20 feet setback to 16 feet, 14 feet to the chimney projection and 15 feet to the eaves. This reduction in side setback could reduce the privacy of the future neighbor due the existing scale of the house along that future lot line and the existing windows on the side exterior elevation. Also the existing house being retained would have less privacy since the future lot is smaller in size which impacts the placement on the site. All of these factors reduce the options for privacy for both lots.

- **They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;**

**Findings:** This is a through lot, with frontage abutting NW Walmar Road and NW Ramsey Road. No changes are proposed within the front setback area.

- **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**

**Findings:** The existing house is currently placed on the site with ample setbacks on both sides. The requested setback reduction to a 6-foot side setback, if approved would enable the applicant to move a lot line and create a future lot. Section 33.110.100.A. states, “Being listed as an allowed use does not mean that a proposed use will be granted an adjustment or other exception to the regulations of this Title.” Currently the existing house on the entire site is in compliance with the development standards and other regulations of the Portland Zoning Code; it is only due to the request to confirm a lot a record/adjusted lot and relocate the existing lot line to be 6-feet from the existing residence which triggers this adjustment request to reduce the side setback. Existing homes within this neighborhood have a minimum 10 foot side setback or more. The aerial photos (Exhibit H.2) show that there is distinct pattern in the neighborhood in relationship between existing residences. A reduced side setback would be out character with the surrounding neighborhood and therefore not compatible with existing neighborhood’s established pattern for setbacks. This proposal conflicts with this purpose statement.

- **They provide room for a car to park in front of a garage door without overhanging the street for sidewalk, and they enhance driver visibility when backing onto the street.**

**Findings:** There are no changes proposed to the garage entrance and location of the required parking for the existing house.



Based on these findings, the proposal does not equally meet the intent of the setback regulation, therefore this criterion is not met.

- 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**

**Findings:** The relative location or separation of residential structures can affect the livability and or appearance of a residential area. The subject site is located in an area that has homes that are separated with ample side setbacks on larger lots. As described under Criterion A, nearby homes are separated by at least 20 feet (10 on each side) or more per written comments provided by the neighbors in this area. There is an established physical relationship between residences in this neighborhood which is reflected in the aerial photos. A majority of these lots within this neighborhood are through lots with lot dimensions and areas which allow placement of homes to be more linear along the street frontage. Old building permit records and other public records (Exhibit H.1) for development on surrounding lots also reflect that a minimum 10 foot side setback is maintained and which results in a minimum of 20 feet distance between residences. The applicant did not submit a specific design proposal that describes how a reduced setback will not detract from the appearance or livability. The



proposed 16 feet distance between residences will detract from the character of this residential area.

This criterion is not met.

**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**

**Findings:** Only one adjustment is being request, therefore this criterion is not applicable.

**D. City-designated scenic resources and historic resources are preserved; and**

**Findings:** City designated resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot. There are no such resources present on the site. Therefore, this criterion is not applicable.

**E. Any impacts resulting from the adjustment are mitigated to the extent practical; and**

**Findings:** No mitigation was proposed to mitigate the impact of a reduced setback. This criterion is not met.

**F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;**

**Findings:** The site is not within an environmental zone, which is designated on the zoning map by either a "c" or "p" overlay. Therefore, this criterion is not applicable.

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

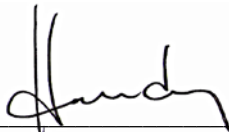
## CONCLUSIONS

As reflected in the findings, this proposal does not satisfy all the approval criteria. The proposal is not found to equally meet the intent of the setback regulation and a side setback reduction is not compatible with the character and pattern of placements of homes within the neighborhood.

## ADMINISTRATIVE DECISION

**Denial** of a side building setback adjustment (Zoning Code Section 33.110.250.B/Table 110-3) for a reduction from: (1) 10 to 6 feet for the house; (2) 8 feet to 4 feet for the chimney; and (3) 8 feet to 5 feet for eaves to the proposed future property line.

**Staff Planner: Lois Jennings**

**Decision rendered by:**  **on June 13, 2014**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: June 17, 2014**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on September 25, 2013, and was determined to be complete on November 6, 2013.

*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. Therefore this application was reviewed against the Zoning Code in effect on September 25, 2013.

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 waived or extended at the request of the applicant. In this case, the applicant the applicant waived the 120-day review period and request the full 245 days as allowed by State Law (Exhibit A.4 and A.5). This land use review needs to be completed by November 5, 2014.

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on July 1, 2014** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

### EXHIBITS

#### NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Narrative
  - 2. original Site Plan submitted
  - 3. November 7, 2014 Letter requesting to place application on hold
  - 4. 120-day waiver form signed
  - 5. E-mail addressing 120-day and extending time line for 245 days allowed by state law
  - 6. November 5, 2013 letter from Danell Isenhardt of Emerio Design which included new site plans and exterior Elevation of House
  - 7. May 7, 2014 letter from Danelle Isenhardt of Emerio Design and transmittal sheet which included the following: Recording documents of 1<sup>st</sup> Property Line Adjustment, new site plan, reduced exterior elevation of house and new tax account
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Exterior Elevation (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Life Safety Plan Review Section of BDS
  - 7. Bureau of Parks, Forestry Division
  - 8. Tualatin Valley Fire Bureau
- F. Correspondence:
  - 1. Irene Van Dyk, May 24, 2014, Letter of Opposition
  - 2. Jerry Grossnickle, President Of Forest Park Neighborhood Association, June 5, 2014, Letter of Opposition
  - 3. David and Ann Mephram, June 6, 2014, Letter of Opposition
  - 4. Melvin Y. Zucker, June 7, 2014, Letter of Opposition
  - 5. Johnna Sering, June 3, 2014, Letter of Opposition
  - 6. James Cochell, received June 6, 2014, Letter of Opposition
  - 7. Kevin and Nancy Senn, June 3, 2014, Letter of Opposition
  - 8. Marsha Hyde, June 5, 2014, Letter of Opposition
  - 9. Chris and Hala Lewis, June 6, 2014, Letter of Opposition
  - 10. Pat Hellberg and Nancy Monsarrart June 8, 2014, Letter of Opposition
  - 11. Shelley Doherty, June 9, 2014, Letter of Opposition
  - 12. Victoria Balenger, June 9, 2014, Letter of Opposition and previous e-mails
  - 13. Ryan and Nina Bucci, received via e-mail dated June 9, 2014, Letter of Opposition

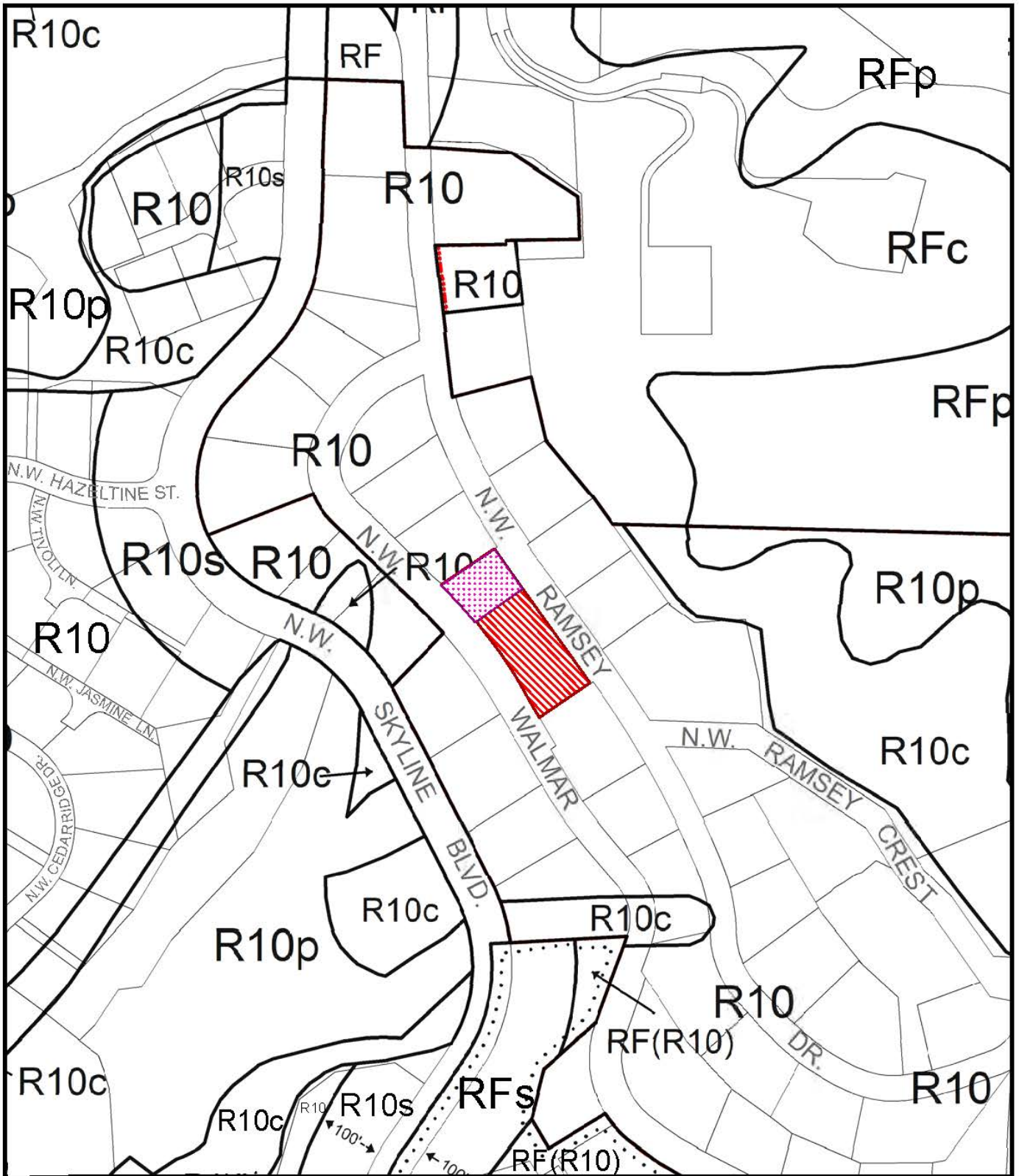
G. Other:

1. Original LU Application
2. E-mail stating site annexed into City of Portland
3. Incomplete Letter dated September 30,2014
4. Memo sent to applicant dated April 18, 2014
5. E-mails received from Multnomah County Right-of-Way in regards to Ramsey-Walmar Road District
6. Ordinance No. 186206 –Annexation into City of Portland
7. Tax Assessor’s Map which reflect the site’s underlying lots
8. Reduced copy of Supplemental Survey and proposed PLA Survey showing underlying lot/Adjusted lot

H. Supporting Documents:

1. Building Permit Records of site plans for surrounding properties within the neighborhood.
2. Aerial Photos(google earth/aerials from Portland maps) showing neighborhood character and physical relationship between residences and parameters of analysis
3. Parameters of Neighborhood analysis-Skyline Heights Subdivision
4. Lot areas for the surrounding area indicated on Zoning Map with addresses also indicated for some of the properties

**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).**



# ZONING

-  Site
-  Also Owned



This site lies within the:  
**NORTHWEST HILLS PLAN DISTRICT**

File No. LU 13-210607 AD  
 1/4 Section 2821  
 Scale 1 inch = 200 feet  
 State\_Id 1N1W25CD 1500  
 Exhibit B (May 15, 2014)





**EVERETT**  
CUSTOM HOMES

700 N.W. 105TH AVE., 3RD. FLOOR  
HASTINGS, OREGON 97124-3006  
P.A.N. 503.741.1106

THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. THE DESIGNER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE DESIGNER'S LIABILITY IS LIMITED TO THE DESIGN SERVICES PROVIDED HEREIN.

DATE: 10/11/10  
DRAWN BY: [Name]  
CHECKED BY: [Name]

EXISTING HOME STRUCTURE  
SIDE ELEVATION  
AND  
SITE PLAN

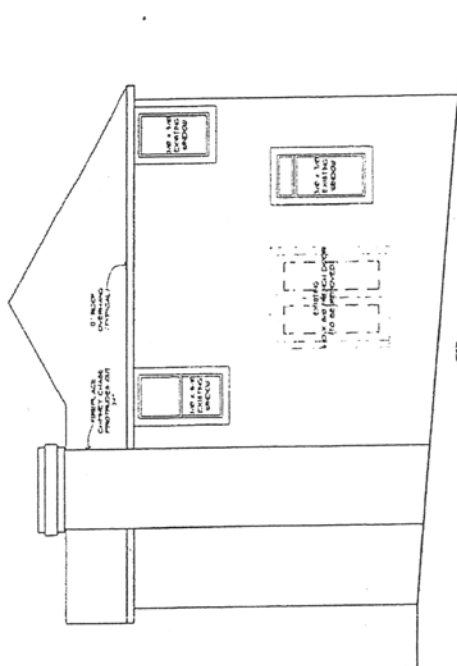
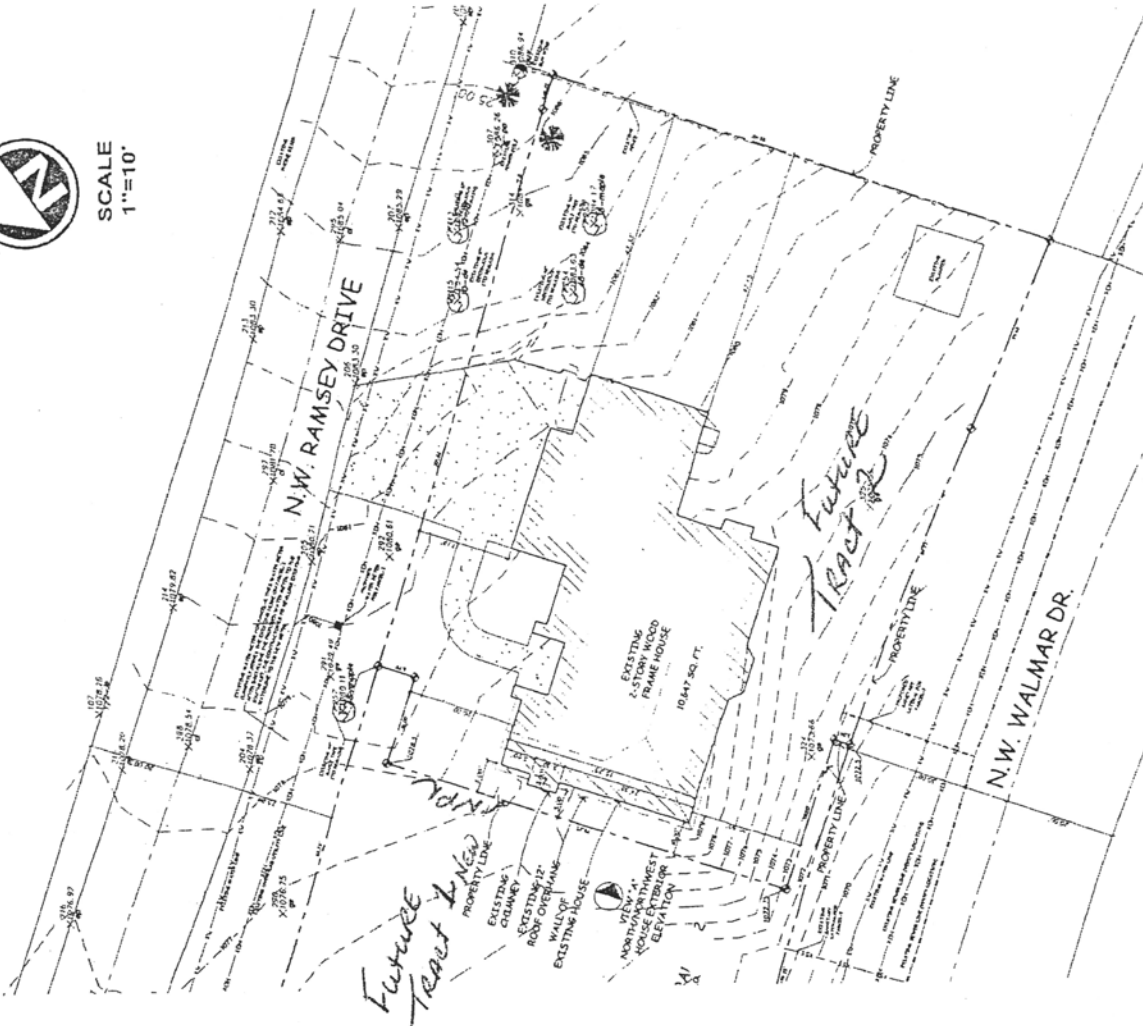
2055 NW RAMSEY DRIVE  
PORTLAND, OREGON

S

JOB NO.



SCALE  
1"=10'



VIEW "A"

NORTH-NORTHWEST SIDE ELEVATION 1/4"=1'-0"

LU 13-210607 AD  
Exhibit C.2