**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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Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

**Date:** June 30, 2014

**To:** Interested Person

**From:** Andrew Gulizia, Land Use Services
503-823-7010 / Andrew.Gulizia@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 July 21, 2014**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 14-167529 AD, in your letter. It also is helpful to address your letter to me, Andrew Gulizia. You can also e-mail your comments to me at my e-mail address above.

# CASE FILE NUMBER: LU 14-167529 AD

**Applicant/Owner:** Fred Brewer
3704 N Longview Ave. / Portland, OR 97227 (808) 866-6935

**Site Address:** 3704 N Longview Ave.

**Legal Description:** BLOCK 23 LOT 9, OVERLOOK
**Tax Account No.:** R633903280
**State ID No.:** 1N1E21DD 10900
**Quarter Section:** 2628
**Neighborhood:** Overlook NA, contact Kent Hoddick at 503-286-9803
**Business District:** Interstate Corridor Business Association, contact Alexsandra Johnson at 503-735-4420
**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099
**Plan District:** Albina Community
**Zoning:** R5 – Single-Dwelling Residential 5,000
**Case Type:** AD – Adjustment Review
**Procedure:** Type II administrative decision with appeal to the Adjustment Committee

**Proposal:**
The applicant proposes to expand the detached garage in the southeast corner of the property. As Zoning Code Section 33.110.220.B requires structures in the R5 zone to be set back at least 5 feet from side and rear property lines, and the proposed garage would abut the south side and rear property lines, the applicant is requesting approval of an Adjustment to reduce the side and rear setback requirements from 5 feet to 0 feet.

The site is also within the Albina Community Plan District, but the associated regulations do not affect the Adjustment request.

A site plan and building elevations illustrating the proposal are attached.

**Relevant Approval Criteria:**
In order to be approved, this proposal must comply with the approval criteria of Title 33. Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A through F of Section 33.805.040, Adjustment Approval Criteria have been met. The relevant criteria are:

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

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 June 10, 2014 and determined to be complete on **June 25, 201**4.

**DECISION MAKING PROCESS**
The Bureau of Development Services will make a decision on this proposal.
We will consider your comments, and do one of the following:

- 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.

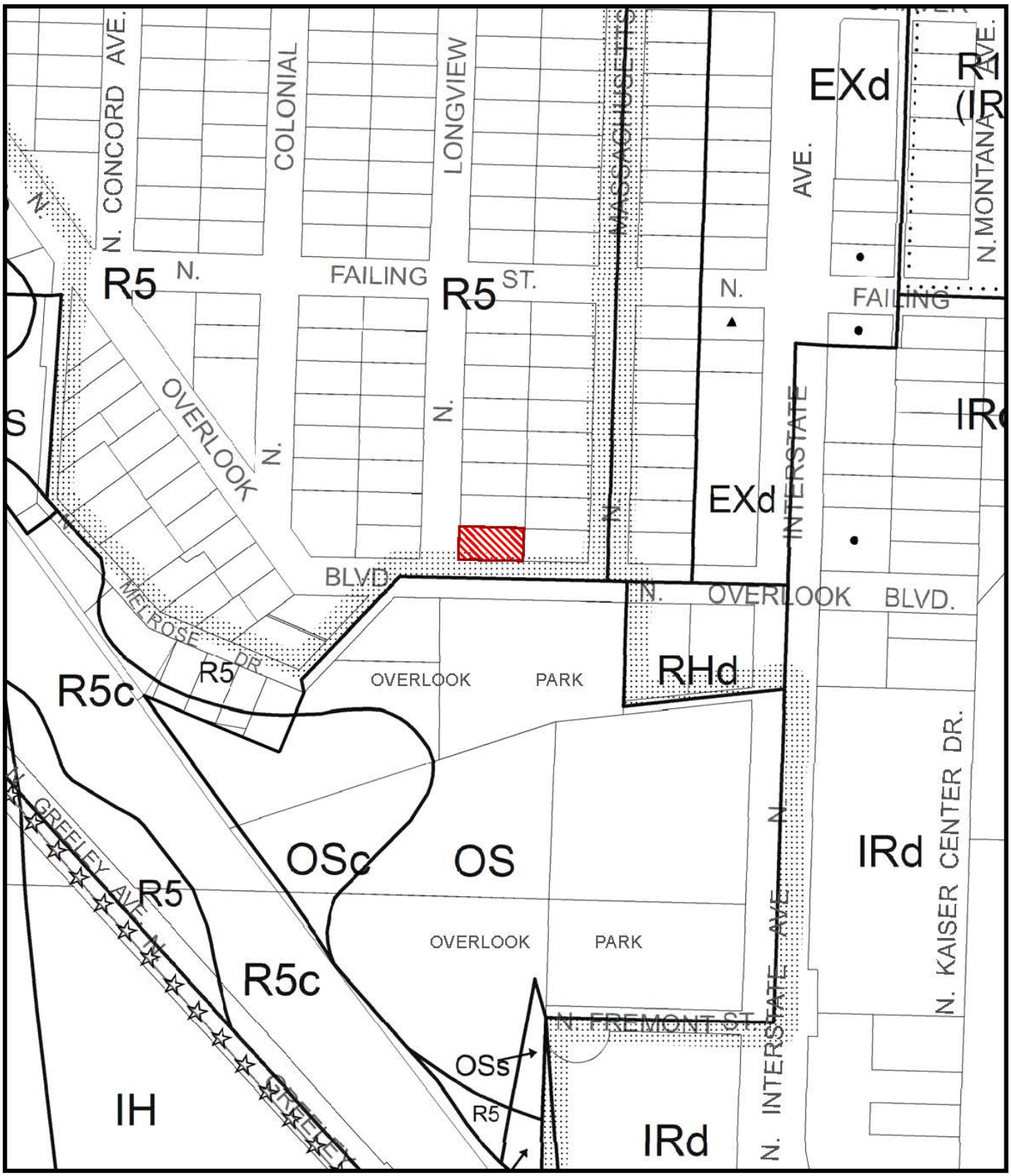
**APPEAL PROCESS**
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Adjustment Committee. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information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




# ZONING

Site

Recreational Trail

Historic Landmark

Conservation Landmark

NORTH

**This site lies within the:**
**ALBINA COMMUNITY PLAN DISTRICT**

File No. LU 14-167529 AD
1/4 Section 2628
Scale 1 inch = 200 feet
State_Id 1N1E21DD 10900
Exhibit B (Jun 12,2014)

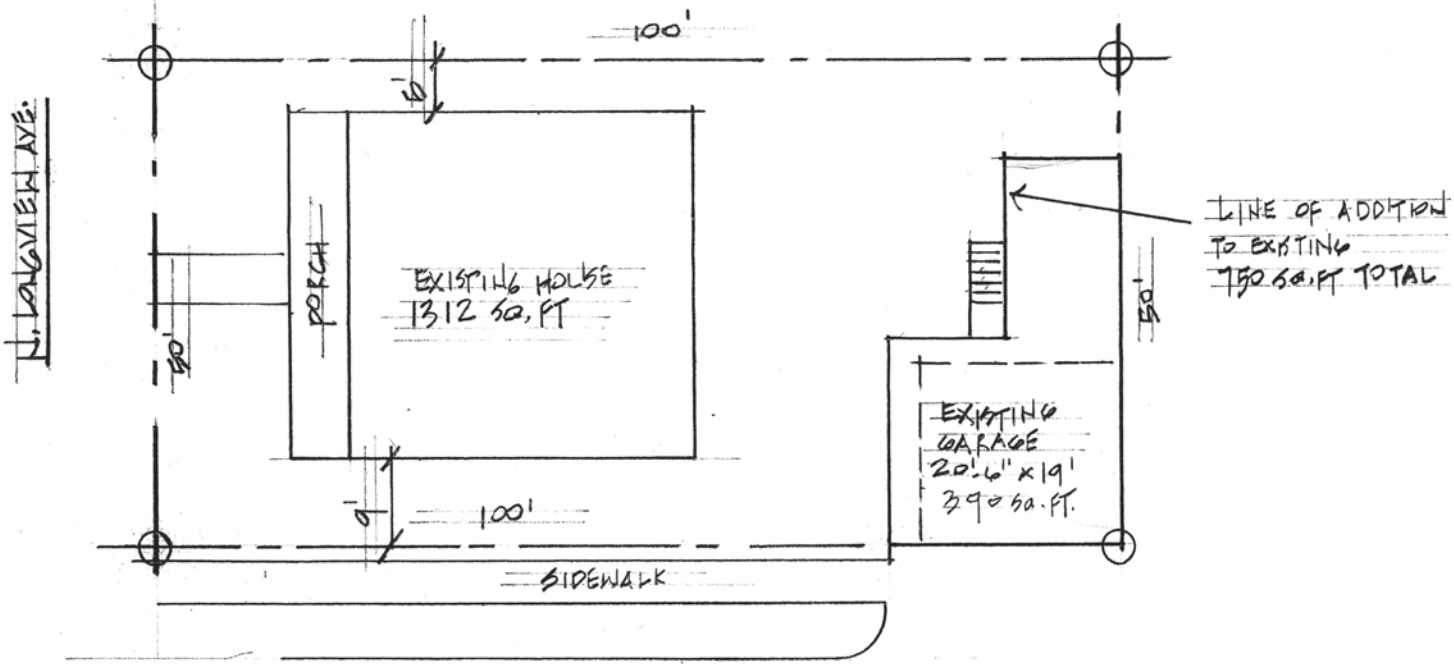
# PLOT PLAN

1" = 20'-0"

NORTH

| General Information |
| --- |
| Property ID R231748 |
| County MULTNOMAH |
| State ID 1N1E21DD 10900 |
| Alt Account # R633903280 |
| Map Number 2628 OLD |
| Site Info |
| Site Address 3704 N LONGVIEW AVE |
| City/State/Zip PORTLAND OR 97227 |
| Owner Info (Privacy) |
| Owner(s) Name BREWER FRED A TR |
| Owner Address 3704 N LONGVIEW AVE |
| City/State/Zip PORTLAND OR 97227 |

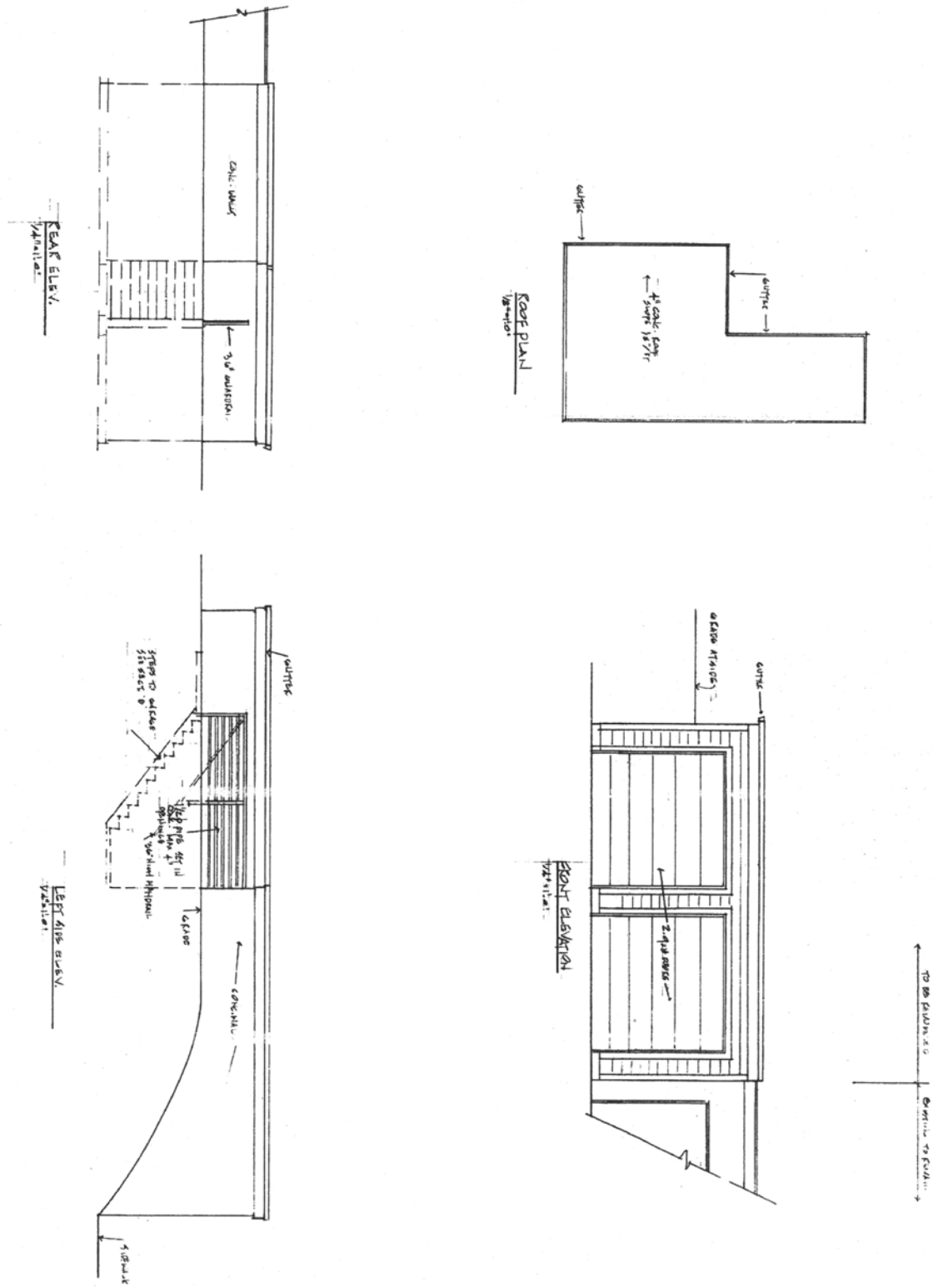
| Property Description |
| --- |
| Tax Roll OVERLOOK, BLOCK 23, LOT 9 |




N. OVERLOOK BLVD

LU14-167529AD

LU 14-167529 AD




14-156697 RS

| | | | |
|---|---|---|---|
| 1 | Project number 9359<br>Date: 2/12/2014 4:55:50 PM<br>Drawn by: BSY<br>Area:<br>Scale: As indicated | FRED PREXER. OWNER<br>ELEVATIONS AND ROOF PLAN | All ideas, arrangements, drawings and plans set forth on this sheet are the original work product of, owned by and are the property of Builders Design, Inc., and Oregon corporation, and use of this said work product is limited to a specified project for the persons named herein, and for the construction of one building. Any use, reuse or disclosure of said plans, reproductions or project, ideas, designs and/or arrangements, other than by Builders Design, Inc., is strictly prohibited without the written permission of Builders Design, Inc. Written dimensions on these drawings have precedence over scaled dimensions; contractors shall verify and be responsible for all dimensions and conditions on the job and this office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication. Supervision is not included unless specified in work contract. |

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