



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: October 13, 2016
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 November 3, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-245348 AD, in your letter. Please address your letter to me, Andrew Gulizia. You can also e-mail your comments to me at the e-mail address above. Please note all correspondence received is public record, and may be viewed by the applicant or others.

CASE FILE NUMBER: LU 16-245348 AD

Applicant: Brint Riggs
Studio Eccos Architecture
5835 N Omaha Ave.
Portland, OR 97217
(503) 701-4494

Property Owners: Jennifer Pratt and Michael Wetter
3620 NE 71st Ave.
Portland, OR 97213

Site Address: 7065 NE 8th Ave.

Legal Description: TL 10100 0.14 ACRES, SECTION 14 1N 1E
Tax Account No.: R941141050
State ID No.: 1N1E14BB 10100
Quarter Section: 2331
Neighborhood: Woodlawn, contact Anjala Ehelebe at 503-388-5004
Business District: North-Northeast Business Assoc, contact at chair@nnbaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070

Zoning: R5h – Single-Dwelling Residential 5,000 with Aircraft Landing (“h”) overlay zone

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

Proposal:

The applicant proposes to construct a new single-dwelling house on this site, leaving the existing house toward the back of the lot as an accessory dwelling unit. For the proposed new house, the applicant is requesting approval of an Adjustment to Zoning Code Section 33.110.220 to reduce the required setback from the south side lot line from 5 feet to 1 foot for the garage wall (which will be mostly below grade), from 5 feet to 3.5 feet for a wall and porch above the garage, and from 4 feet to 2 feet for a roof eave. 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:

- 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; and *(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 September 19, 2016, and determined to be complete on October 10, 2016.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and either:

- Approve the proposal;
- Approve the proposal with conditions; or
- 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.

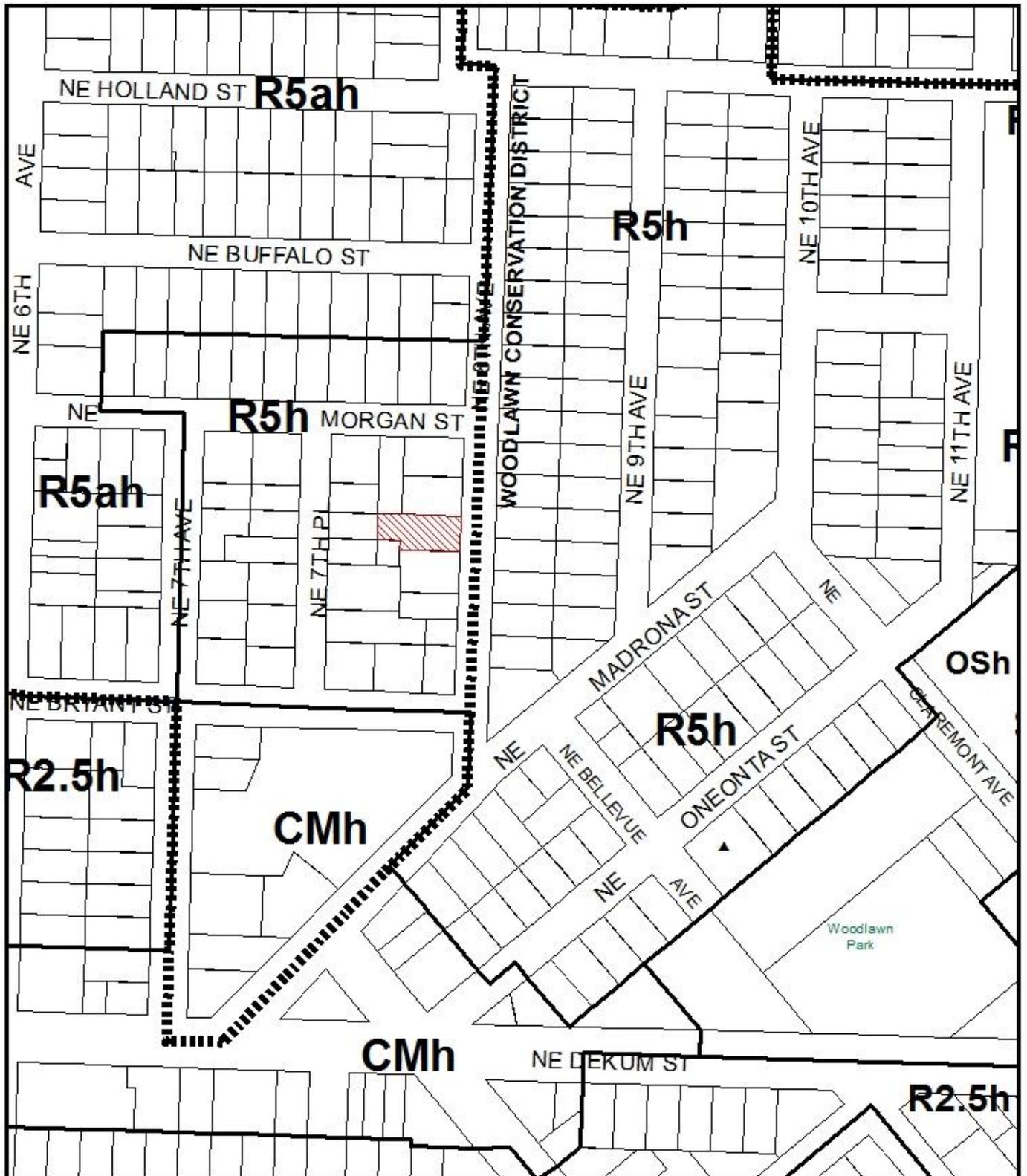
APPEAL OF THE FINAL CITY DECISION

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
Building Elevations



ZONING

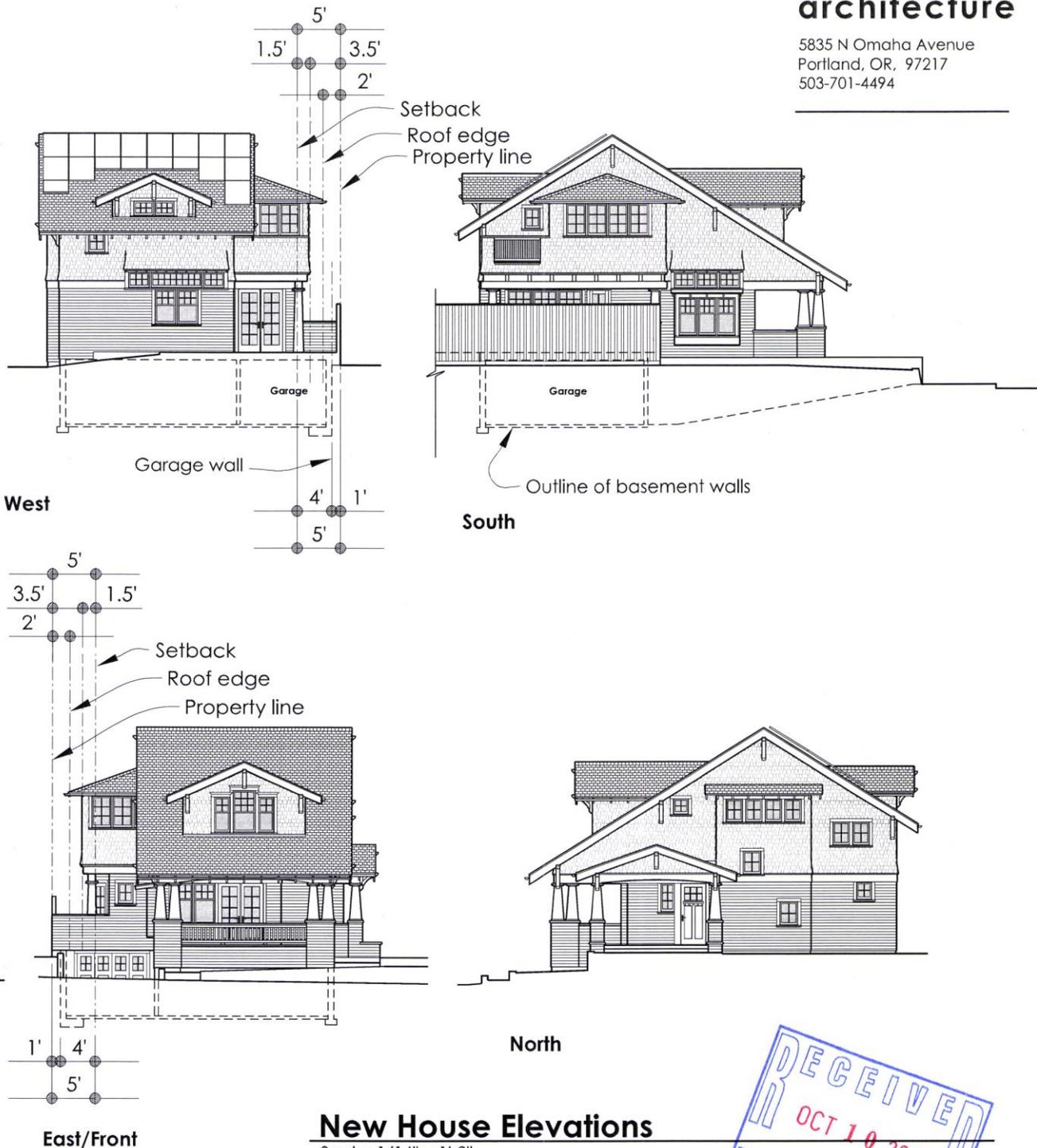


-  Site
-  Conservation Landmarks

File No.	<u>LU 16-245348 AD</u>
1/4 Section	<u>2331</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1E14BB 10100</u>
Exhibit	<u>B</u> (Sep 21, 2016)

**studio
eccos
architecture**

5835 N Omaha Avenue
Portland, OR, 97217
503-701-4494



New House Elevations

Scale: 1/16" = 1'-0"



Pratt-Wetter ADU - Adjustment (Rev. 1)

Design 1m ♦ 2016.10.04
7065 NE 8th Street

LU 16-245348 AD