

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: July 26, 2013

To: Interested Person

From: Kathy Harnden, Land Use Services

503-823-7318 / Kathy.Harnden@portlandoregon.gov

NOTICE OF A TYPE IIx 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 42 days, **we need to receive your written comments by 5 p.m. on August 26, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-143892 LDP, in your letter. It also is helpful to address your letter to me, Kathy Harnden.

CASE FILE NUMBER: LU 13-143892 LDP

Applicant: Mike Coyle

Faster Permits

14334 NW Eagleridge Lane

Portland, OR 97229

Owner: George Hale, Kloh, Inc.

9700 SW Capital Hwy, Suite 100

Portland OR 97219

Site Address: 10050 SW 25th Avenue

Legal Description: LOT 53, EDGECLIFF

Tax Account No.: R236501900 **State ID No.:** R236501900 1S1E28CB 09300

Quarter Section: 4027

Neighborhood: Marshall Park, contact John DeLance at 503-246-4382.

Business District: None

District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

Plan District: None **Other Designations:** None

Zoning: R10 – Residential 10,000

Case Type: LDP – Land Division Partition

Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant proposes to partition this site into two parcels, with the rear parcel being a flag lot. Proposed Parcel 1, the front parcel, will contain 13,159 square feet and will be 84.8 feet wide and 155 feet deep. Parcel 2, the flag lot, will contain 16,853 square feet and will be 100.19 feet wide and 145 feet deep. The pole to access Parcel 2 will run along the south side of the property. Both parcels will be developed with a detached, single-dwelling. An existing 15-foot wide driveway, which provides access to Tax Lot 7,000 to the east of the site, will remain and be widened to 25 feet; it will be paved with asphalt and will contain a 4-foot wide private utility easement (PUE). Most of the trees will be removed as the applicant proposes to retain only the minimum 35 percent of total tree diameter on the site that is required by Code.

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (*See ORS 92.010*). *ORS 92.010* defines "parcel" as a single unit of land created by a partition of land. The applicant proposes to create two parcels.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are: Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones

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 25, 2013 and determined to be complete on **July 24, 2013**.

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.ci.portland.or.us.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. 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.

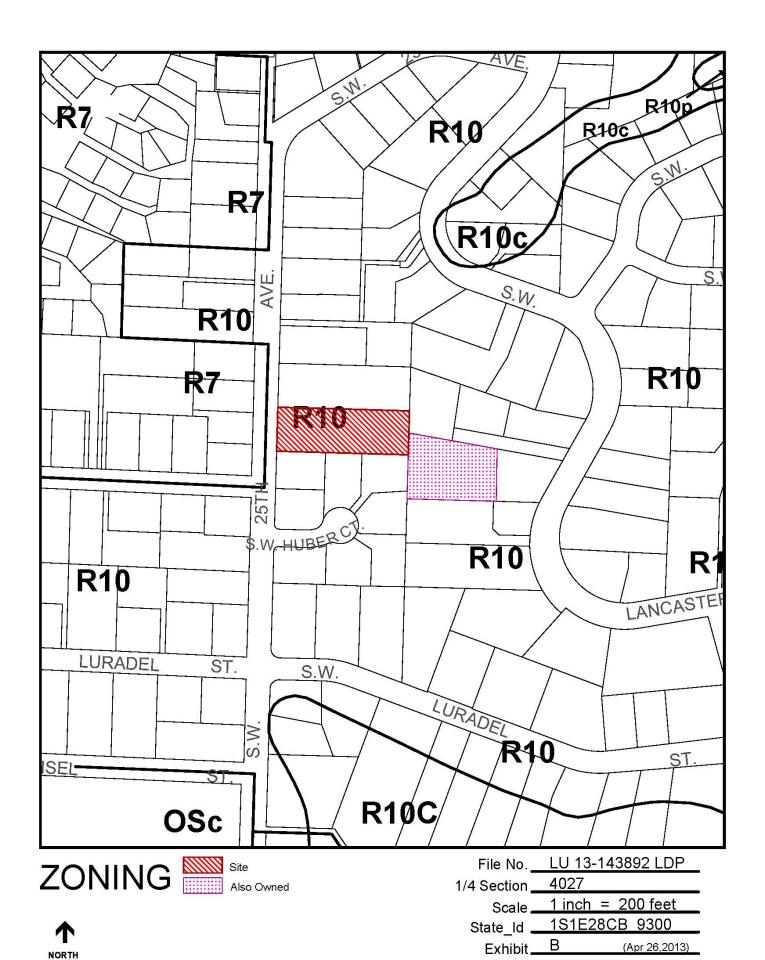
APPEAL OF THE FINAL CITY DECISION

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, OR 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



TAX MAP T1S R1E 28CB TAX LOT 9300 MULTNOMAH COUNTY, OREGON

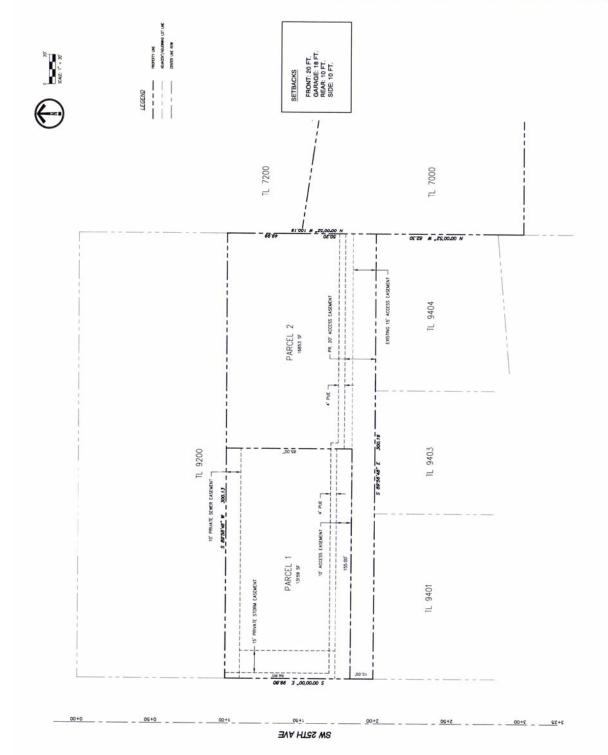
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PRELIMINARY SITE/ UAJ9 YIJITU

6107 SW MURRAY BLVD. SUITE 147 BEAVERTON, OREGON 97008 PH: (502) 515-5528 suprise (2) EWERIO







