



City of Portland
Bureau of Development Services
Land Use Services Division

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Portland, Oregon 97201
Telephone: 503-823-7300
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www.portlandonline.com/bds

Date: September 10, 2008
To: Interested Person
From: Crystal Hitchings, Land Use Services
503-823-7583 / Crystal.Hitchings@ci.portland.or.us

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

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 08-146497 AD

GENERAL INFORMATION

Applicant: Robert Ross
Shoehorn Group LLC
2631 SW Sherwood Drive
Portland, OR 97201

Property Owner: Dawn and Erik Weeman
4605 NE 22nd Ave
Portland, OR 97211

Site Address: 4605 NE 22ND AVE

Legal Description: LOT 10 BLOCK 53, VERNON
Tax Account No.: R860711040
State ID No.: 1N1E23AD 13800
Quarter Section: 2532

Neighborhood: Sabin Community Assoc., contact Rick Alexander at 503-516-9059.
Business District: North-Northeast Business Assoc, contact Joyce Taylor at 503-445-1321.

District Coalition: Northeast Coalition of Neighborhoods, contact Lauren McCartney at 503-823-4135.

Zoning: R5ah, Residential 5,000 with an Alternative Design Density Overlay Zone and an Aircraft Landing Overlay Zone

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

Proposal:

The applicant is proposing to construct a two-story garage with space for two vehicles on the first floor and with storage on the second floor. The proposed structure measures 24 feet by 22 feet, is 23 feet tall, and is designed to match the architectural style of the existing home,

although on a smaller scale. The proposed garage will be located in the southwest corner of the lot, encompassing the location of an existing concrete pad from a previous garage, and will be located to the rear of the existing home. The structure is located at a one-foot rear (west) building setback and a two-foot side (south) building setback along NE Going Street. The eave on the south (side) façade extends 9 inches from the building wall, and will be located at 1 foot, 3 inches from the south side property line. The eave on the west (rear) façade extends 4 inches from the building wall and will be located at 8 inches from the rear property line. The west façade of the roof will contain 2 skylights that will be located 6 feet from the west (rear) property line. The garage entrance will be located on the south side façade at a 2-foot setback and will be accessed from NE Going Street. A trellis along the south side façade of the garage will be located at a 0-foot setback. The trellis will be 2-feet deep, 7.5 feet tall, and 26 feet wide. A pedestrian entrance from NE Going Street to the existing home is accessed through a gate in the trellis just east of the proposed structure.

Portland Zoning Code section 22.110.220 requires side and rear building setbacks of 5 feet each, and a garage entrance setback of 18 feet. Eaves are allowed to extend into the setback up to 20% of the setback depth, which in this case would be 1 foot (or 4 feet from the property line). Accessory vertical structures (the trellis) are allowed within setbacks if they are no larger than 3 feet in width, depth, or diameter and no taller than 8 feet.

Therefore, four Adjustments to Section 33.110.220, Setbacks, are necessary to allow the proposed development. One Adjustment, to the rear (west) building setback, is necessary to allow the proposed structure to be located at a 1-foot rear building setback, and to allow the associated eave to be located at 4 inches from the rear (west) property line. Three Adjustments, to the south side building setback, are necessary to allow the proposed structure to be located with a 2-foot south side building setback and to allow the associated eaves to be located 1 foot, 3 inches from the south side property line; to allow a 2-foot garage entrance setback; and to allow the proposed trellis to be located 0 feet from the south side property line.

Please note that the applicant has revised the proposal in the following ways since the original Notice of Proposal was sent: reduced the length of the street-facing (south) wall from 24 feet to 22 feet, reduced the height of the structure from 25 to 23 feet, increased the south side setback from 1 to 2 feet, and added 2 skylights to the west-facing roof, which will be located 6 feet from the rear property line.

Relevant Approval Criteria:

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.

ANALYSIS

Site and Vicinity: The 5,000 square foot site is a corner lot located at the northwest corner of NE Going Street and NE 22nd Avenue, and is developed with a single-dwelling residential home originally built in 1909. The existing, 2-story home is constructed in a Dutch Colonial style, is located on the eastern half of the lot, and is oriented toward NE 22nd Avenue with a front porch and pedestrian walkway. The western portion of the lot is open lawn, with several large, mature deciduous trees. The eastern portion of the lot is landscaped with trees and shrubs. A large evergreen tree is located in the southeast corner of the lot. An 8-foot tall wooden fence extends along the southern half of the rear property line and the western half of the south side property line (along NE Going), and then cuts north into the lot to meet the southwest corner of the existing home. The portion of the fence extending along NE Going is located within the public right-of-way. A concrete pad in the southwest corner of the lot is the former location of a garage, and is accessed through a gate in the fence across the side property line. A pedestrian walkway from the concrete pad leads to a back porch of the home. Both NE 22nd Ave and NE Going Street are designated as local collector streets in this location and are improved with planting strips and sidewalks. NE Going Street has a 12-foot public right-of-way (ROW) on both sides, and NE 22nd has a 10-foot ROW.

The adjacent lot to the west is also developed with a single-dwelling, two-story home and has a detached, single-story garage. The garage on this adjacent lot is located just north of the location of the proposed garage on the subject site at a zero side and rear building setback. The driveway for this lot runs along the common rear lot line.

Within the immediate vicinity (200 feet of the subject site), development is predominantly single-dwelling residential with 1, 1.5, and 2-story homes built in the early- to mid-1900's, and lots are typically 5,000 square feet in size. Detached garages are commonly located in a back corner of a lot, and commonly within both the side and rear setback.

Zoning: The site and surrounding area is zoned R5ah, Residential 5,000, which is a high-density single-dwelling zone, and also has an Alternative Design Density Overlay Zone and an Aircraft Landing Overlay Zone. The standards of these overlay zones are not triggered by the proposal. The R5 zone requires a side and rear building setback of 5 feet, and a garage entrance setback of 18 feet. Eaves are allowed to extend up to 1 foot into the setbacks. Horizontal structures such as trellises are allowed within setbacks if they meet specific size criterion.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A "Request for Response" was mailed on August 14, 2008. The following Bureaus have responded with no issues or concerns (Exhibit E.1-E.2):

- Water Bureau
- Bureau of Parks-Forestry Division

The following Bureaus responded with additional comments:

- The **Bureau of Environmental Services** (Exhibit E.3) gave no objections to the proposal. BDS Site Development staff have visited the property and noted that the existing splashblocks are too close to the property line. This will need to be addressed. BDS Site Development notes that infiltration is feasible. It appears that there will be room on the property for infiltration facilities. BES noted that SWMM stormwater requirements must be met during building permit application, as more than 500 square feet of impervious surface is being added to the site.
- The **Bureau of Transportation Engineering** (Exhibit E.4) gave no objection to the proposal. Comments related to the garage entry approval criteria are included in the findings below. PDOT also noted that the portion of the existing fence to remain is located in the public right-of-way, and stated that PDOT cannot consider a revocable permit for the fence because it is less than 1 foot behind the sidewalk. PDOT recommended a condition of approval requiring that, prior to the issuance of a Building Permit for the proposed garage, the applicant shall remove the portion of the existing fence that is located along the NE Going right-of-way. If the fence is to be retained, it must be relocated at least 1-ft behind the back of the sidewalk.
- The **Site Development Section of BDS** (Exhibit E.5) gave no objection to the proposal. Onsite infiltration is feasible at this location, and the Simplified design approach may be used for this project. Site Development recommends that the roof runoff be routed directly to a drywell(s) in the rear yard of the project site. A utility plan showing existing and proposed stormwater and sanitary sewer facilities will be required at the time of permit review. The utility plan must show the location of downspouts, rain drains, and stormwater discharge/disposal locations.
- The **Life/Safety Bureau** (Exhibit E.6) gave comments regarding eaves and walls within 3 feet of the property line intended to provide the applicant with preliminary Building Codes information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on August 14, 2008. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal. A letter signed by 7 neighbors from six

nearby lots, stating that they had seen the plans and supported the proposal. This letter was submitted by the applicant as part of the original application package.

ZONING CODE APPROVAL CRITERIA

33.805.010 Purpose (Adjustments)

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue providing certainty and rapid processing for land use applications.

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

Findings: The proposal is for four Adjustments to Portland Zoning Code Section 33.110.220, Setbacks. The purpose statement for this section states that:

The building setback regulations serve several purposes:

- *They maintain light, air, separation for fire protection, and access for fire fighting;*
- *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 or sidewalk, and they enhance driver visibility when backing onto the street.*

Two Adjustments, those to the side building and garage entrance setbacks, address the south wall of the proposed garage and the associated eave. Because the setback is to a street-facing wall (NE Going), the existing light, air, fire separation and access, privacy, and physical relationship between structures is not changed by the proposal to reduce the side building setback. Fire access is provided on three sides of the structure, from the street and from within the site to the east and north. No living area is proposed within the structure, and no homes are located adjacent to the structure on the south side. (NE Going provides a 36-foot right-of-way, with an additional 12-foot pedestrian corridor on each side.)

Accessory structures in this area are commonly located within the side building setback, to the rear of primary structures. The proposed structure is located to the rear of the primary structure and will be only minimally visible from NE 22nd Avenue. The proposed structure is on a corner lot and is oriented toward the street, and is readily visible from NE Going Street. The two-story structure reflects the Dutch Colonial style of the existing home, but on a smaller scale. Although there are not many 2-story structures in the area which are located so close to a street, the proposed structure remains in character with the general scale and placement of other

structures in the neighborhood for the following reasons: its imitation of the architecture of the primary structure, its location to the rear of the primary structure, the greater street setback of the south building wall than the existing fence, the addition of a pedestrian entrance along NE Going Street, and the incorporation of architectural elements that articulate and soften the building wall and create an inviting pedestrian environment.

The façade facing the street has two garage doors which resemble barn doors and are trimmed with both vertical and horizontal lines. Windows extend across the top portion of the doors. The second-story has two, 3.75- x 2.75-foot windows which reflect the two windows on the second story of the south façade of the home. Above these, in the top peak of the gable, is a 1.5-foot diameter circular window that reflects the circular window in the peak of the east and west façades of the home. The doors and trellis provide further articulation for the street-facing façade. Currently, an 8-foot wooden fence extends along this portion of the south property line. This fence is set only a few inches from the sidewalk, and is within the public ROW. The wall of the proposed structure will be set back 3 feet from the sidewalk, giving the full 12-foot width to the pedestrian right-of-way and an additional 2-foot setback beyond the property line. PDOT has expressed no concerns with the location of the existing fence, but has noted that, because the fence is within 1 foot from the sidewalk, a revocable permit cannot be supported for the portion of the fence proposed to remain. Therefore, PDOT has requested a condition of approval that requires that, prior to the issuance of a Building Permit for the proposed garage, the applicant shall remove the portion of the existing fence that is located along the NE Going right-of-way. If the fence is to be retained, it must be relocated at least 1-ft behind the back of the sidewalk. Therefore, a condition of approval is warranted requiring that the fence either be relocated or removed.

The request for the reduced garage entrance setback would provide the flexibility needed to locate the structure in a manner that allows for the preservation of a large cherry tree, located approximately 24 feet behind the proposed garage. To meet the required minimum garage entrance setback of 18 feet from NE Going Street, the north wall of the garage would have to be located 7 feet from the tree, seriously encroaching into the root protection zone and compromising the long term health of that tree. The reduced garage entrance setback also allows the retention of a private backyard space in the northwest corner of the lot, which would otherwise be lost. Additionally, the reduced garage entrance setback eliminates the need for a driveway and increases the amount of vegetation retained on the lot. Two cars, typically parked on the street, will now be parked within the garage. The garage entrance setback of 2-feet from the property line provides a 14-foot space between the garage door and the curb, which is insufficient room for vehicles to park in front of the garage, and therefore will help prevent vehicles from obstructing the sidewalk and curb. PDOT has reviewed the proposal and noted that, although a conventional passenger vehicle could park across the side yard property line and into the improved right-of-way, it is unlikely that this will occur, given the likelihood that the vehicles would create conflicts and impacts to other motorists along the street, and given that both frontages of the site are paved and improved with sidewalks making it more likely that additional vehicles or guest vehicles will be parked along the site's frontages. PDOT also noted that, with regard to a vehicle backing onto the street from the proposed garage, exiting speeds from the garage onto the abutting NE Going will be slower than if there was a driveway that a vehicle would have to also cross (if the 18-foot garage setback was being provided). For these reasons, PDOT had no concerns regarding the proposal.

A third Adjustment, also to the south side building setback, addresses the proposed trellis. Again, the location of the trellis adjacent to a street does not affect the existing light, air, fire separation and access, privacy, and physical relationship between structures. The trellis provides an aesthetic framework to the garage entrance, provides greenery to soften the architecture of the garage, and ties the garage into the

residential aspect of the site, further emphasizing the residential nature of the proposed structure and further connecting it to the existing home.

The fourth Adjustment, to the rear building setback, addresses the setback of the west building wall and associated eave. The home on the adjacent lot to the west is approximately 33 feet away from the proposed structure. The northwest corner of the proposed structure is located approximately 3 feet from the southeast corner of the neighbor's garage on the adjacent lot to the west, and is adjacent only to the driveway of the lot to the west. The proposed structure is located due east of the adjacent lot. Therefore, although morning light would be somewhat effected on the driveway and yard of the adjacent lot, the southern and western exposures remain unaffected by the proposal, and southern exposure is preserved due to the width of the ROW on NE Going Street. As required by the building code, the eave on the west side will extend only 4 inches from the roof, and the skylights will be located further than 3 feet from the property line. Additionally, the west wall will be constructed to comply with building code regulations to meet required fire ratings. Although fire access is eliminated on the west property line, sufficient access is provided to the north, south, and east of the structure. For these reasons, light and air, and fire safety and access are maintained for the lot to the west. In the general vicinity, accessory structures are commonly located within rear building setbacks or at rear property lines, and the proposal reflects the general building scale and placement of houses and promotes a reasonable physical relationship between residences. There are no windows on the west wall that directly face the adjacent lot, no living space within the proposed structure, and no living area adjacent to the proposed structure. Additionally, the proposed structure creates a visual barrier between the rear yard of the adjacent lot to the west and the rear yard of the subject site. Therefore, options for privacy are maintained.

For these reasons, the four Adjustments for side and rear building and garage entrance setbacks can equally meet the purpose of the Setback standard, with the condition of approval requiring that a revocable permit be issued for the existing fence, and this criterion is 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 proposal is for a 2-car garage located in a 2-story structure, with the second story proposed as storage for residential use. The proposed garage reflects the architectural style of the home, and includes a number of windows and other architectural features on the street-facing façade. The proposal incorporates a second pedestrian entrance to the site off NE Going Street, with a trellis in front of the garage and pedestrian entrances and a gate accessing the site off the sidewalk. This design enhances the pedestrian experience and overall streetscape, and frames the garage entrance with vegetation. These design features tie the garage/storage structure directly to the residential structure on the site, and the residential aspect of the site is maintained. Therefore, the proposal is in keeping with the residential appearance of the neighborhood. As described under criterion A above, the proposal does not significantly affect existing light, noise, privacy, appearance, and safety, and therefore does not detract from the livability of the residential area. Therefore, this criterion is 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: The overall purpose of the single-dwelling zones is to preserve land for housing and to provide housing opportunities for individual households. The proposal to construct a 2-car, 2-story garage for residential use that does not detract from the livability or appearance of the residential area and provides opportunities to maximize the use of a residential lot remains consistent with the overall purpose of the zone. Therefore, this criterion is met.

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

Findings: There are no such City-designated resources on this site; therefore, this criterion is not applicable.

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

Findings: The location of the proposed structure specifically allows for the preservation of a large cherry tree and a smaller tree already established on the site, and reduces the pervious surface on the site by eliminating the need for a driveway. Aesthetic considerations, including the architectural style of the structure, the vegetated trellis, and the pedestrian entrance, ensure that the proposed structure maintains the residential character of the site. No significant impacts are expected as a result of this proposal. Therefore, this criterion is 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; 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.

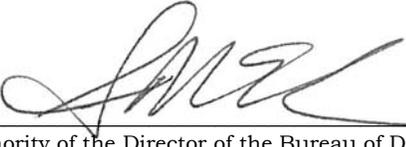
CONCLUSIONS

The adjacent lot to the west is the most affected by this proposal. Light and air, and fire safety and access, and options for privacy are maintained for the lot to the west. The proposal reflects the general building scale and placement of houses and promotes a reasonable physical relationship between residences. The proposed garage reflects the architectural style of the home and enhances the pedestrian environment on NE Going Street. The residential character of the site is maintained. All approval criteria are met, and this proposal should be approved.

ADMINISTRATIVE DECISION

Approval of four Adjustments to Section 33.110.220, Setbacks, to allow the proposed, two-car garage with a second story for residential storage to be located at a 1-foot rear building setback, and to allow the associated eave to be located at 4 inches from the rear (west) property line; to be located with a 2-foot side building setback and to allow the associated eaves to be located 1 foot, 3 inches from the south side property line; to allow a 2-foot garage entrance setback; and to allow the proposed trellis to be located 0 feet from the south side property line, in significant conformance with the approved site plans, Exhibits C-1 through C-3, signed and dated on **September 8, 2008**, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required plans and any additional drawings must reflect the information and design approved by the land use review as indicated in Exhibits C.1-C.3. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 08-146497 AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Prior to the issuance of a Building Permit for the proposed garage, the applicant shall remove the portion of the existing fence that is located along the NE Going right-of-way. If the fence is to be retained, it must be relocated at least 1-ft behind the back of the sidewalk.

Decision rendered by:  on September 8, 2008.
By authority of the Director of the Bureau of Development Services

Decision mailed: on September 10, 2008

Staff Planner: Crystal Hitchings

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 July 16, 2008, and was determined to be complete on August 11, 2008.

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 July 16, 2008.

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 did not waive or extend the 120-day review period.

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 September 24, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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.

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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **September 25, 2008 – (the day following the last day to appeal)**. A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

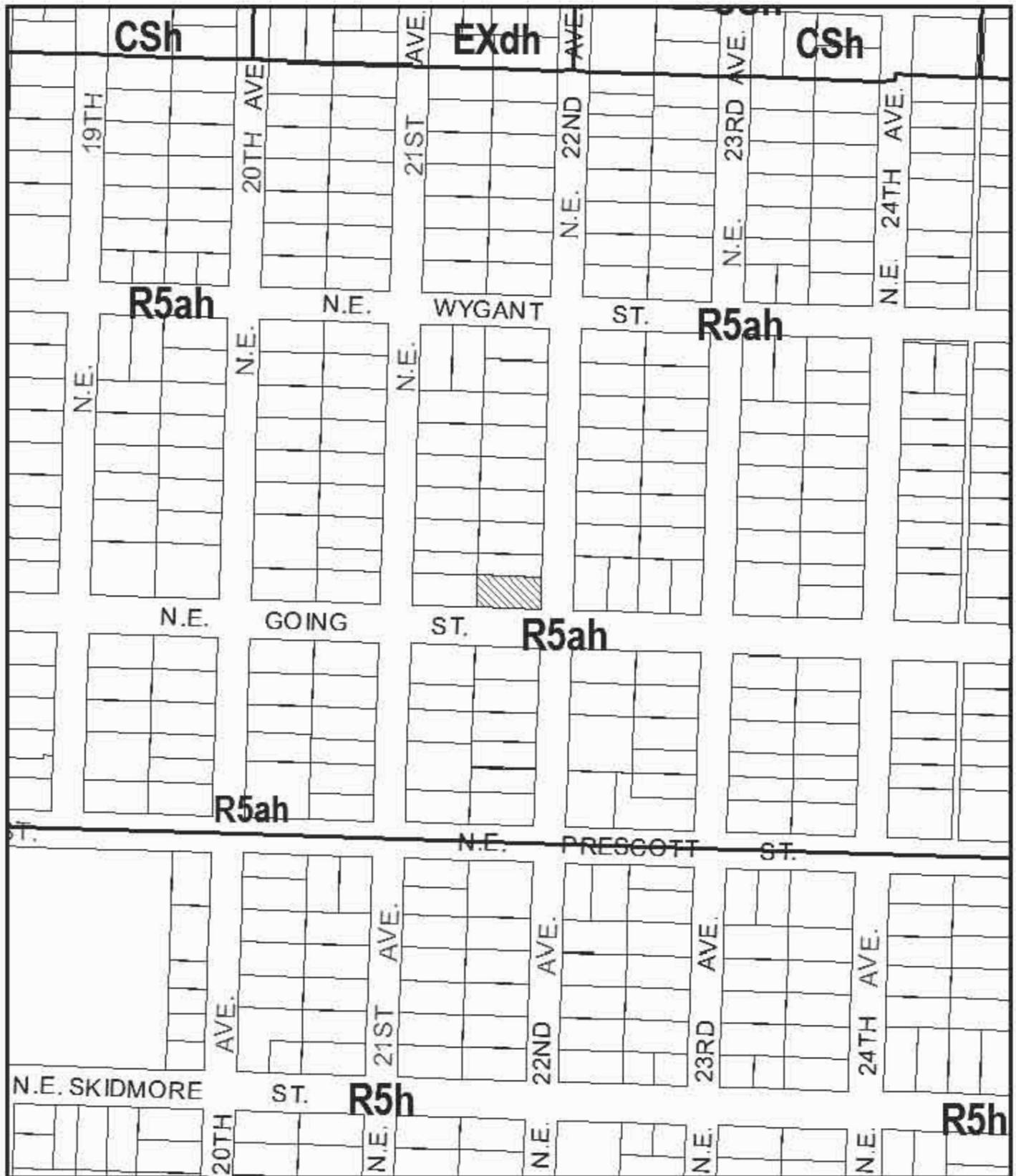
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Second revised Site Plan (attached)
 2. Second revised south and west elevations (attached)
 3. Existing Site Plan
 4. First revised Site Plan
 5. First revised Elevations
 6. Original submitted Site Plan
 7. Original submitted Elevations
 8. Site Photos
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Water Bureau
 2. Bureau of Parks, Forestry Division
 3. Bureau of Environmental Services
 4. Bureau of Transportation Engineering and Development Review
 5. Site Development Review Section of BDS
 6. Life Safety Bureau
- F. Correspondence:
 1. Keith and Shannon Mastranunzio; Robert Guill; Jack Dempsey; Daniel Curran; Evelyn Butler; Timothy Joslin; July 16, 2008 (submitted with application); letter of support
- G. Other:
 1. Original LU Application
 2. Site History Research
 3. Tax Map
 4. Incomplete Letter
 5. Email correspondence between C. Hitchings and Rob Ross
 6. Garth Building Footprint Map

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING



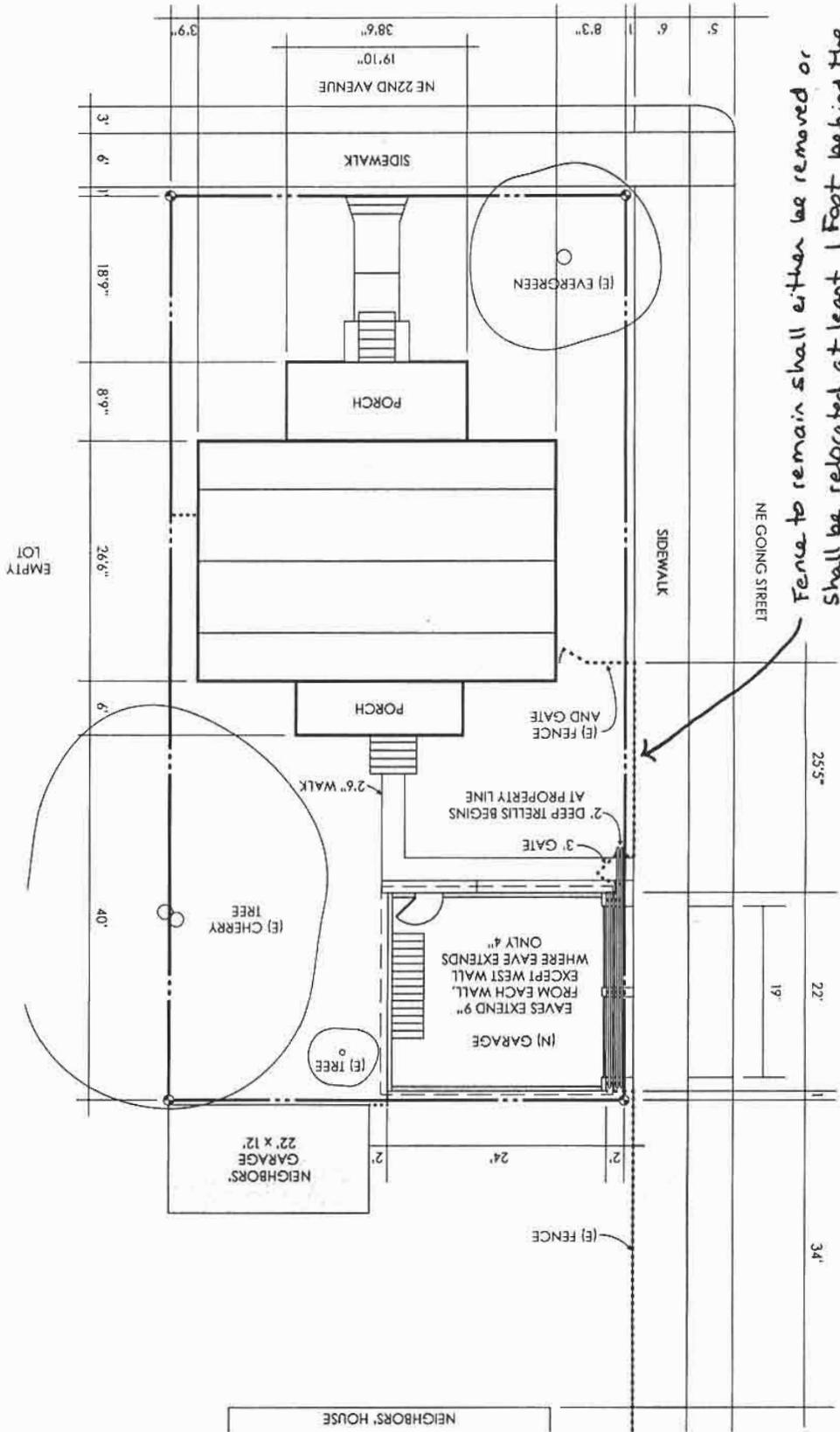
NORTH

File No.	<u>LU 08-146497 AD</u>
1/4 Section	<u>2532</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1E23AD 13800</u>
Exhibit	<u>B (Jul 21, 2008)</u>

LOT COVERAGE
(in square feet)

LOT: 5000
 MAXIMUM COVERAGE ALLOWED: 2250
 EXISTING: 1362
 NEW: 1938

SCALE: 1/16" = 1'
NEW SITEPLAN



Fence to remain shall either be removed or shall be relocated at least 1 Foot behind the sidewalk prior to issuance of a building permit.

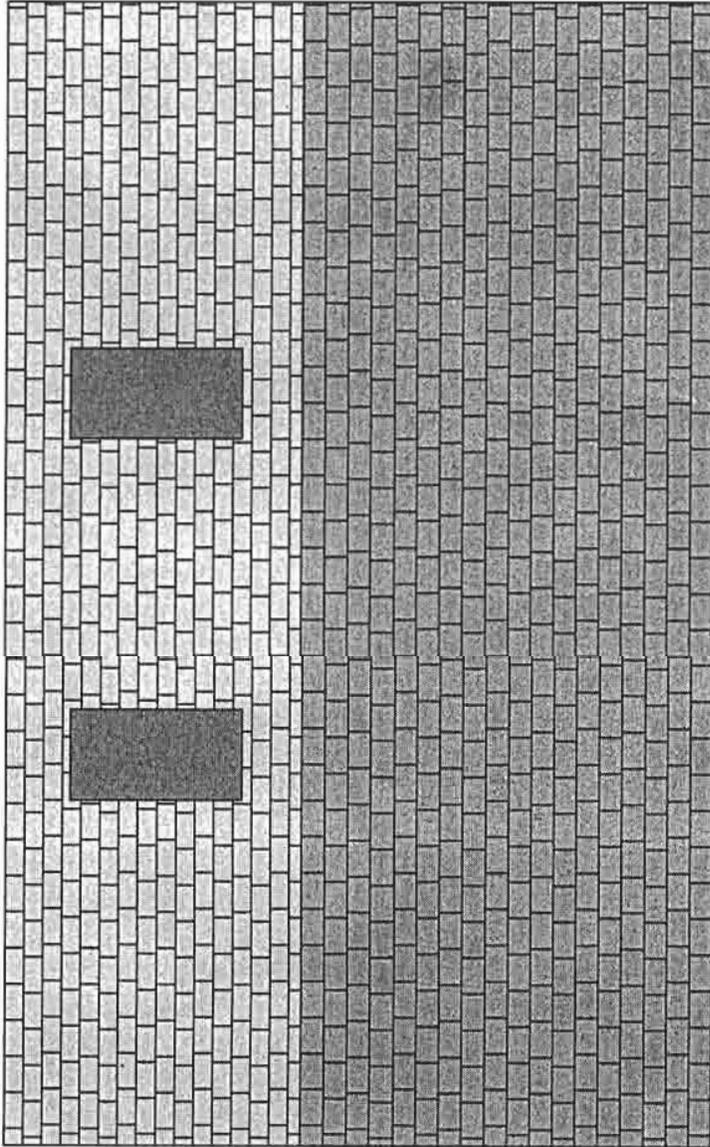
*** Approved ***
 City of Portland
 Bureau of Development Services
 Planner *Crystal Hitchings*
 Date *September 8, 2008*
 * This approval applies only to the reviews requested and is subject to all conditions of approval
 Additional zoning requirements may apply.

WEEMAN RESIDENCE
 4605 NE 22nd AVENUE
 PORTLAND, OR 97211

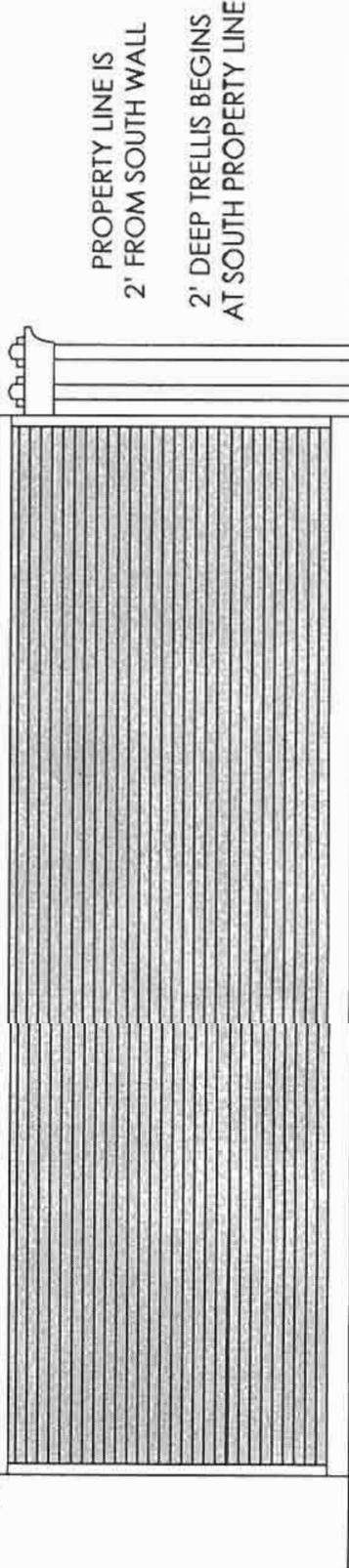
WEEMAN RESIDENCE
4605 NE 22nd AVENUE
PORTLAND, OR 97211

WEST ELEVATION

SCALE: 1/4" = 1'



Approved
City of Portland
Bureau of Development Services
Planner *Cryshel Hitkins*
Date *September 8, 2008*
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.



PROPERTY LINE IS
2' FROM SOUTH WALL
2' DEEP TRELLIS BEGINS
AT SOUTH PROPERTY LINE

