



City of Portland
Bureau of Development Services
Land Use Services Division

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Portland, Oregon 97201
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www.portlandonline.com/bds

Date: August 7, 2008
To: Interested Person
From: Sheila Frugoli, Land Use Services
503-823-7817 / frugolis@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 08-136941 AD

GENERAL INFORMATION

Applicant: Manda B Beckett
2816 NE 12th Ave
Portland, OR 97212-3218

Site Address: 2816 NE 12TH AVE

Legal Description: LOT 17 BLOCK 81, IRVINGTON
Tax Account No.: R420416970
State ID No.: 1N1E26BD 12400
Quarter Section: 2731

Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: North-Northeast Business Assoc, contact Joyce Taylor at 503-445-1321.
District Coalition: Northeast Coalition of Neighborhoods, contact Robin Denburg at 503-823-4135.

Zoning: R5, Single Dwelling Residential 5,000
Other Designations: Irvington Conservation District

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 new detached accessory structure to be used as a workshop. In order to receive building permit approval, the applicant is requesting an Adjustment Review to reduce the required side (south) and rear (east) building setback from 5 feet to 1 foot. Within the proposed setbacks, eaves and gutters will extend no more than 1 foot, stopping at the property lines. The south and east walls will have no opening and will be constructed to meet Building Code required 1-hour firewall standards.

The proposed workshop will be 1 story, approximately 375 square feet, and contain a bathroom.

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.

ANALYSIS

Site and Vicinity: The site is developed with a two-story home. Like most of the houses in the Irvington Conservation (historic) District, this home was built in the early 1900s in the grand Portland bungalow style. There is a long, narrow driveway located between the house and the south property line.

NE 12th Avenue is a fully improved, providing a one-lane roadway with on-street parking on both sides of the street. Both sides of the street also have sidewalks and planter strips with mature street trees. Most of the homes fronting the street, between NE Stanton and Knott Streets are similar in scale and architectural character and have small detached garages located at or on side and/or rear property lines. On the eastern abutting lot, a small one-story detached garage is built close to the lot's side and rear property lines. The back of this structure is clearly visible from the applicant's driveway.

Summary of Applicant's Statement: The written information submitted by the applicant stated, "The rebuilding of my historical garage was formerly permitted but building was delayed". Now she is requesting to add "sanitation facilities" in order to use the garage as a "print workshop and would like to keep dirty hands from art and/or gardening activities out the house by providing a convenient facility". Further she has a "need for ADA access for elderly or handicapped visitors and due to the age and structure" of her house, she would prefer to add accessible (ADA, American Disability Act) facilities in the outbuilding.

Note: After the notice was mailed, the applicant clarified to staff that she did not intend to use the print workshop for mass production. Rather it would be used like an artist studio where "one of a kind" pieces will be created. Further, she stated that the printing press is hand-powered. It will not be an industrial-size, large production press that is generally associated with printing businesses. Lastly, she explained that under a previous permit for a detached garage (issued on September 16, 2003, under permit #03-158187 RS), the foundation/footings have been poured and are located on the property where the proposed workshop will be located. The approved building permit plans show a 24-ft. x 12-ft. garage with the south and east walls located one foot from the side and rear property lines.

Zoning: The site is located in the R5, Single-Dwelling Residential 5,000 zone and the Irvington Conservation District. This zone allows residential development at a density of 1 dwelling per 5,000 square feet. Accessory uses such as hobbies and parking of occupants' vehicles are allowed. Certain non-residential activities such as Accessory Home Occupations are allowed in single-dwelling zones, but are subject to additional regulations.

Section 33.110.253.D allows new detached garages to be located within the side and rear building setback if all of the following are met: (1) The garage is set back at least 40 feet from the front lot line, (2) The garage dimensions do not exceed 24 feet by 24 feet, (3) The garage is no more than 15 feet high and the walls are no more than 10 feet high, excluding the portion within a gable, and (4) the structure contains no space for living, sleeping, eating, cooking or sanitation and (5) dormers are set back at least 5 feet from side and rear lot lines. *The applicant's originally approved garage (under permit #03-158187 RS) meets these requirements.*

Because the applicant now wishes to construct a detached structure that will consist of a workshop and living space rather than serve as a garage, an Adjustment to the building setback standard is required.

Zoning Code Section 33.203.020 identifies of two types of Accessory Home Occupations that are allowed in residential zones, as follows:

Type A. A Type A home occupation is one where the residents use their home as a place of work; however, no employees or customers come to the site. Examples include artists, crafts people, writers, and consultants. Type A home occupations also provide an opportunity for a home to be used as a business address but not as a place of work.

Type B. A Type B home occupation is one where the residents use their homes as a place of work, and either one employee or customers come to the site. Examples are counseling and hair cutting and styling.

Hours of operation, outdoor activities, appearance of the structure, off-site impacts are regulated for Type B Home Occupations. The Zoning Code also requires a Home Occupation Permit. This permit is intended to document that the applicant understands all the requirements and consents to complying with them. When the permit is requested, nearby property owners and the neighborhood association are notified (Zoning Code Chapter 33.203 describes all the requirements). *There is no record of a Type B Home Occupation Permit being requested/issued for this site.*

This site is within the Irvington Conservation District. Exterior alterations and new structures generally are required to conform to historic design standards (Community Design Standards). Section 33.445.420.A of Chapter 33.445, Historic Resource Protection Overlay Zone requires historic design review or compliance with Community Design Standards, as an alternative for the construction of a detached accessory structure that is larger than 300 square feet. At building permit plan review staff will review to verify that design standards are met.

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

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **June 26, 2008**. The following Bureaus have responded with no issues or concerns (Exhibit E.4):

- Portland Transportation, Bureau of Transportation Engineering
- Water Bureau
- Fire Bureau
- Bureau of Parks-Forestry Division

The Bureau of Environmental Services responded with the following comment: The requested Adjustment appears to have no impact on existing BES sanitary/stormwater facilities at this time. The proposed development will be subject to BES standards and requirements during the building plan review process. (Exhibit E.1)

The Site Development Section of BDS responded with the following comment: Site Development has no objection to the requested Adjustments. Development on the site must provide stormwater management in accordance with the Stormwater Management Manual (SWMM). The project plans show a gutter system draining to a rainbarrel, with the overflow draining to a gravel swale. A utility plan must be provided with the permit application for the new structure to show how the swale/dry creek bed will meet the location, sizing and design requirements of the SWMM. Questions regarding stormwater may be directed to James Hyatt. (Exhibit E.2)

The Life Safety Plan Review Section of BDS responded with the following comments: (1) A Building Permit is required for the proposed work and the proposal must be designed to meet applicable building codes and ordinances; (2) Exterior walls less than three feet to a property line shall be one-hour fire-rated with no openings allowed. Roofs and eaves may project no closer than two feet to a property line. Eaves, less than three feet to a property line, must be protected on the underside as required for one-hour fire-rated construction; and (3) Alternative

methods and materials may be approved by the Administrative Building Code Appeal Board. (Exhibit E.3)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 26, 2008. Two written responses have been received from notified property owners, in response to the proposal.

- The owners of the house on the southern abutting lot object to the proposal. Their primary concern is that the structure would be too close to the property line for aesthetic and practical purposes. Further, they are concerned that the roof eave and gutter will extend over the property line. They would be amenable to reducing the building setback by 1 foot which would allow the wall to be located 4 feet from the south property line, with the eave extending within 3 feet of the property line.

The neighbors also raise concerns regarding the use of the workshop for printing. They are concerned that a business will operate in the workshop, generating increased vehicle trips to the site. More cars and parking will create hazards for neighbor's children. They note that a Type B Home Occupation allows hours of operation from 7am to 9 pm and are concerned that noise from customers visiting the business would be outside their bedroom. (Exhibit F.1)

- Nearby neighbors raised concerns regarding traffic and parking along the street. Currently there are multiple cars already parked and coming and going at the house. They believe there is a massage business operating at the house. The neighbors are concerned that another business operating at the site will create more traffic and create safety concerns for 5 households with small children. They would prefer that a business of this type not interfere with the residential character of the street. They are not opposed to the proposal but want more information regarding vendors, employees and other business contacts that will be associated with the future business at the site. (Exhibit F.2)

Staff Response: *Some of the concerns raised speak directly to the approval criteria and therefore will be analyzed under the applicable findings, below. Those issues that do not relate to the proposal—a request to waive the building setback requirement for a detached accessory structure—cannot be considered as part of this Adjustment review. If a business will be conducted in the workshop, that will bring customers to the site, a Home Occupation permit is required. If neighbors are concerned that a Type B Home Occupation is currently operating at the site, they may request BDS Code Compliance staff to investigate to determine if separate enforcement actions should be taken.*

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 either 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 purpose of the standards for accessory structures is explained under Section 33.110.250.A as follows:

This section regulates structures that are incidental to primary buildings to prevent them from becoming the predominant element of the site. The standards provide for necessary access around structures, help maintain privacy to abutting lots, and maintain open front setbacks.

Specifically, the purpose of the setback standard requested for Adjustment is found in Section 33.110.220, Setbacks. The setback regulations for buildings and garage entrances 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.*

The applicant is requesting an Adjustment to reduce the side and rear setback requirement from five feet to one foot and to allow an eave to extend up to the south property line. The applicant hopes to use the already poured foundation and footing that were allowed under an issued building permit for a detached garage.

Light and Air

The minimum setbacks are not intended to provide direct sunlight. Rather, the setbacks are intended to achieve access to light and air. The proposed workshop will align approximately with the east neighbor's detached garage but will be spaced approximately 3 feet apart. The relative closeness of the accessory structures is not unusual, particularly in this relatively dense residential neighborhood. Because the proposed workshop will be one-story and will be adjacent to a detached structure there will be no discernable reduction in light on the eastern abutting lot. And given the structure will be located near the south property line, adjacent to a solid wood fence that is at least 6 feet tall, the property to the south will not be impacted by shadow or loss of light.

There is approximately 10 feet of separation between the applicant's home and the house on the southern abutting lot. The applicant's driveway separates the structures. It appears that most of the homes on NE 12th Avenue, including the subject site and the adjacent homes were built close to their northern property line. The homes were built prior to zoning regulations. Consequently, the house on the southern abutting lot is not set back 5 feet from the applicant's property. Even so, the homes likely achieve the minimum separation required in the R5 zone. This zone allows homes and accessory structures, as tall as 30 feet, with only 10 feet of separation (5 feet between a structure and the respective side property lines). The proposed garage will be at least 10 feet lower in height than both the applicants and neighbors houses and there will be at least 10 feet separating the neighbors' house and the proposed workshop.

Therefore, the reduced setback will not adversely impact the surrounding lot's access to light and air.

Separation for Fire Protection/Access for Fire Safety

The reduced setback will not preclude access to the structure. A one-foot wide setback between the structure and the south property line and approximately three feet between the rear of the structure and the garage structure near the east property line provide adequate separation, if needed. The BDS Life Safety Plan Review Section response notes that exterior walls that are located less than 3 feet to a property line, must be one-hour fire-rated and have no opening. And, eaves that are closer than two feet to a property line are allowed only if approved as a Building Code appeal. Eaves, less than

three feet to a property line must be protected on the underside as required for one-hour fire-rated construction. A condition will require that a building permit be obtained for the workshop. A building permit will not be issued unless all applicable building code requirements and other development-related requirements are met.

Access to the structure, for fire fighting purposes is provided via the driveway from NE 12th Avenue. The Fire Bureau has reviewed the proposal and has no concerns. Based on these findings, the proposal will have no impact on separation for fire protection and access for fire safety.

Reflect the General Building Scale and Placement of Houses/Reasonable Physical Relationship Between Building

The scale of the proposed workshop will be consistent with the scale of detached structures in the surrounding area. Even though the proposed structure will not be used as a garage and therefore cannot use the setback exception, it has similar characteristics to one-car detached garages found in the Irvington Neighborhood and other Portland neighborhoods. The garage will be located at least 70 feet from the front property line and will be set back behind the house. Similarly, the footprint of the proposed structure is relatively small--375 square feet. The front of the accessory building will fit the residential appearance of the area and will not detract from the front of the home, which should be the dominant element of this residential site. The west facing portion of the garage that will be visible from NE 12th Avenue will have the appearance of a small garage. The front portion of the structure will only be 12 feet and will contain a six foot-wide roll up garage door.

The garage structure will be lower in height than the applicant's house as well as other surrounding homes. The walls of the proposed structure will be nine feet tall. At its peak, the roof will be approximately 15 feet tall. The Zoning Code does not measure height from the peak of pitched roof structures. Rather, the height of the structure, per Section 33.930.050 is measured at the mid-point of a roof with a pitch no steeper than a 12 in 12. The proposed garage roof is a 12 in 6 pitch. Therefore, the height of this structure is approximately 12 feet.

Based on these findings, the proposal is consistent with the general building scale and placement of structures and is consistent with the relationship of buildings in this area.

Options for Privacy

Because the structure will have no windows on the south and east side of the accessory structure, the privacy for the abutting residents should not be impacted.

Larger Front Setbacks

The requested Adjustment is for a reduction in the required side and rear building setbacks. The existing front setback area will remain unchanged.

Because the proposed structure will be set back approximately 75 feet from the street, it will not impact the required 10-foot deep front setback area and will not distract from the prominence of the residence and its main entrance. Because the proposed structure will be tucked back from the street, it will not dominate the front setback or create safety conflicts for pedestrian and vehicles in the right-of-way.

Room for a Car to Park in Front of the Garage

The applicant is not proposing to construct a garage. The 75 foot-deep existing driveway will remain and will continue to provide off-street parking to serve the residence.

Summary

For all these reasons, the granting of the setback adjustment will equally or better meet the purpose of the accessory structure and setback regulations. 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: As indicated above, the surrounding residential neighborhood is characterized by large homes with comparatively small detached accessory structures, many of which are located on or near property lines.

As explained in the Analysis section of this report, the proposed detached structure must be designed to meet the Community Design Standards. Specifically, Section 33.218.120, Standards for Detached Accessory Structures in Single Dwelling, R3, R2 and R1 zones, requires compatible exterior finish materials such as horizontal siding, trim and windows. Eaves must project from the building walls the same distance as the house.

The location of the new attached garage will not detract from the livability of the eastern abutting residence given that the detached garage on the adjacent lot will serve to separate the proposed workshop from the house. The neighbors to the south raised concerns regarding the aesthetic impacts of the structure and eave and gutter being so close to their property line. To ensure that the eave does not extend beyond the property line, a condition will require the submitted building plans specifically identify the eave and gutter widths and illustrate on the plans how the eave and gutter will not extend over the property line. Note: At inspection, the applicant is responsible for identifying the property boundary. The inspector may verify that actual building location matches that which was approved, per the building plans.

Although smaller and subordinate to the house, an accessory garage can either contribute to the appearance of the home or detract from it. A finished exterior, that matches the predominant architectural features of the house, can greatly enhance the appearance of an accessory structure. To ensure that the proposed workshop does not detract from the appearance of the residential area, a condition will require that the new detached structure be painted to match the exterior colors used on the house. Further, the fascia board and underside of the eaves must be finished a paint color used on the trim. Lastly, the condition will require the gutters on the workshop have a finish that matches the trim color.

The neighbors to the south also raised concerns that the workshop (used for printing operations) would generate noise that would be heard in their bedroom. The applicant states that the printing press will be used to create one-of-a-kind prints. The solid east and south walls will help keep noise contained. The workshop is anticipated to function no differently than artist studios and shops commonly found in residential areas. The walls, built to meet firewall standards on the east and south sides of the building will provide additional noise insulation. The proposed workshop will be located at least 10 feet, at the closest point from the neighbors' house. The reduced setback will not significantly impact the livability of the abutting residents.

Finally, as stated above, the workshop will not reduce the privacy of the abutting lots. There will be no windows on the east and south elevations. With compliance with the condition, this approval 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: As only one Adjustment is requested, this criterion is not applicable.

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

Findings: City-designated scenic resources are identified on the Official Zoning Maps with a lower case "s," and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. The subject site is located within the Irvington Conservation District. To receive approval from Planning at building permit review, the proposal must meet the Community Design Standards of Section 33.218.120 or be approved through a Historic Design Review. The plans submitted for the Adjustment Review show compliance with the applicable design standards. This approval criterion is met.

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

Findings: To satisfy Approval Criteria A and B, conditions have been imposed. There is no anticipated impacts resulting from the reduced side and rear building setback that warrants mitigation. This criterion does not apply.

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

All of the relevant approval criteria have been met for the setback reduction for the proposed garage addition. There will be no significant impacts on light, air or privacy to the homes located on the southern and eastern abutting lot. A reasonable relationship will be maintained between the applicant's house and the adjacent residential structures.

With conditions that address the appearance of the structure, approval of the side setback adjustment is warranted.

ADMINISTRATIVE DECISION

Approval of a side and rear setback reduction from 5 feet to 1 foot for a detached accessory structure, per the approved plans, Exhibits C.1–C.4 signed and dated August 5, 2008, subject to the following conditions:

- A. A Building Permit must be obtained. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 08-136941 AD." All requirements must be graphically represented on the site plan and other required plan and must be labeled "REQUIRED."
- B. The submitted building plans must specifically identify the eave and gutters located on the east and south elevations, and include details and measurements that illustrate on the plans how they will not extend over the property lines.
- C. The detached accessory structure must be finished as follows: (1) The structure must be painted to match the house; (2) The fascia boards and underside of the eaves must be painted the same color used on the trim and/or horizontal siding; and (3) The gutters must have a finish that matches the trim color.

Note: The Building Permit application must address the Community Design Standards submittal requirements of Section 33.218.015.D and comply with the design standards of Section 33.218.120. Also, the plans must be shown to meet the Building Code requirements noted by BDS Life Safety Plan Review staff and the stormwater management requirements noted by BDS Site Development and Bureau of Environmental Services staff.

Decision rendered by:  **on August 5, 2008**
By authority of the Director of the Bureau of Development Services

Decision mailed: August 7, 2008

Staff Planner: Sheila Frugoli

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 June 12, 2008, and was determined to be complete on June 24, 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 June 12, 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 August 21, 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 **August 22, 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:

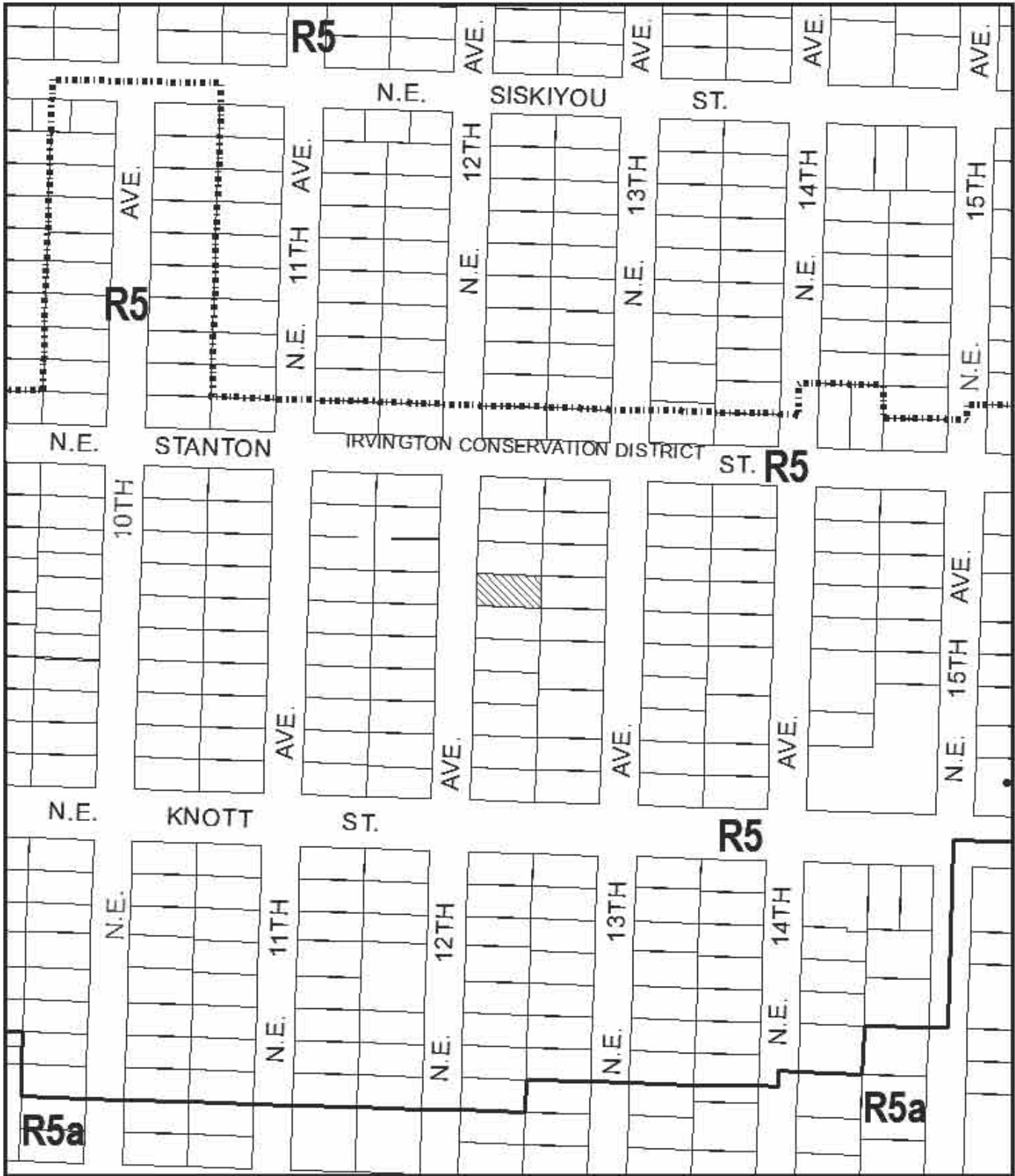
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Proposed West Elevation (attached)
 - 3. Proposed East Elevation (attached)
 - 4. Proposed North Elevation (attached)
 - 5. Proposed Floor Plan
 - 6. Footing, 1-Hour Fire Wall and Roof Trussing Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Site Development Review Section of BDS
 - 3. Life Safety Plan Review Section of BDS
 - 4. TRACS Print-out – Showing “no concerns” from Fire, PDOT, Water and City Forester
- F. Correspondance
 - 1. Gerry and Charlotte Key, July 11, 2008, letter of opposition
 - 2. Rachel and Doug Carlson, July 14, 2008, raised concerns regarding proposal
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

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



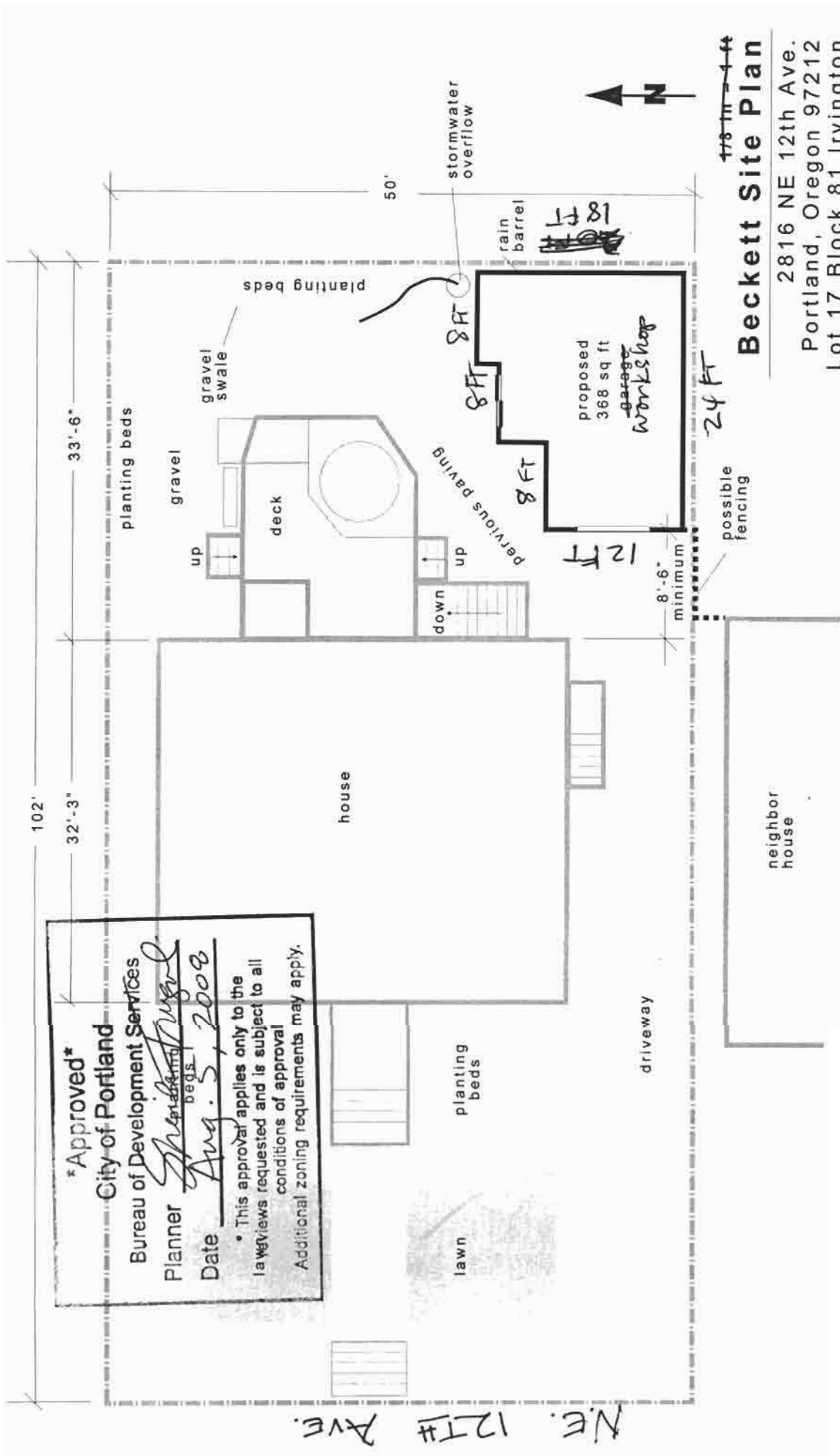
Site



NORTH

This site lies within the:
IRVINGTON CONSERVATION DISTRICT

File No. LU 08-136941 AD
 1/4 Section 2731
 Scale 1 inch = 200 feet
 State Id 1N1E26BD 12400
 Exhibit B (Jun 16, 2008)



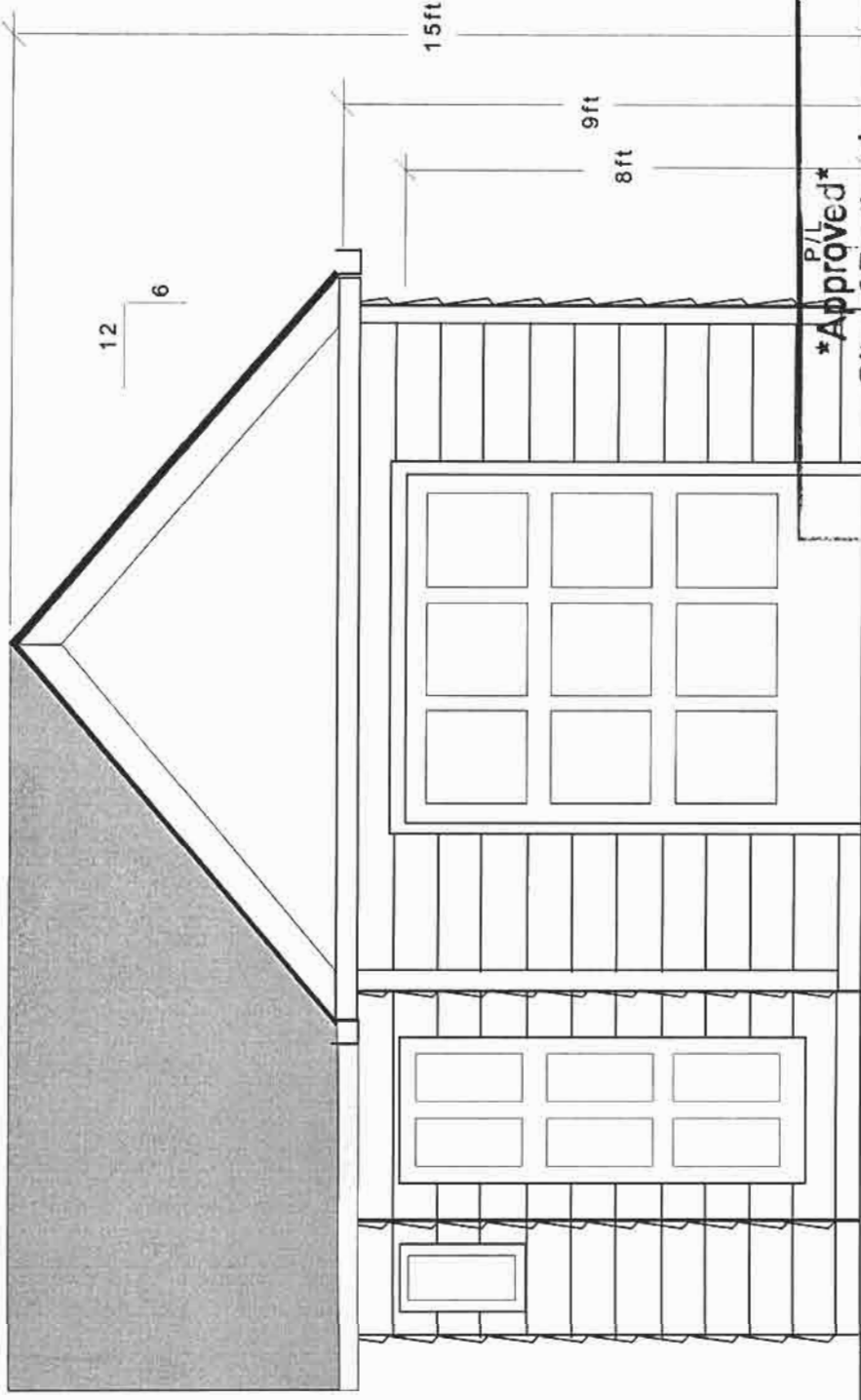
Approved
 City of Portland
 Bureau of Development Services
 Planner *Shirley Pugh*
 Date *Aug. 5, 2008*

* This approval applies only to the
 layouts requested and is subject to all
 conditions of approval.
 Additional zoning requirements may apply.

Beckett Site Plan
 2816 NE 12th Ave.
 Portland, Oregon 97212
 Lot 17 Block 81 Irvington
 State ID 1N1E26BD 12400

Exh. C.1
LA08-136941 AD

NE. 12TH AVE.



Approved

City of Portland
Bureau of Development Services
Planner *Sheelagh T. Murrell*
Date *Aug. 5, 2009*

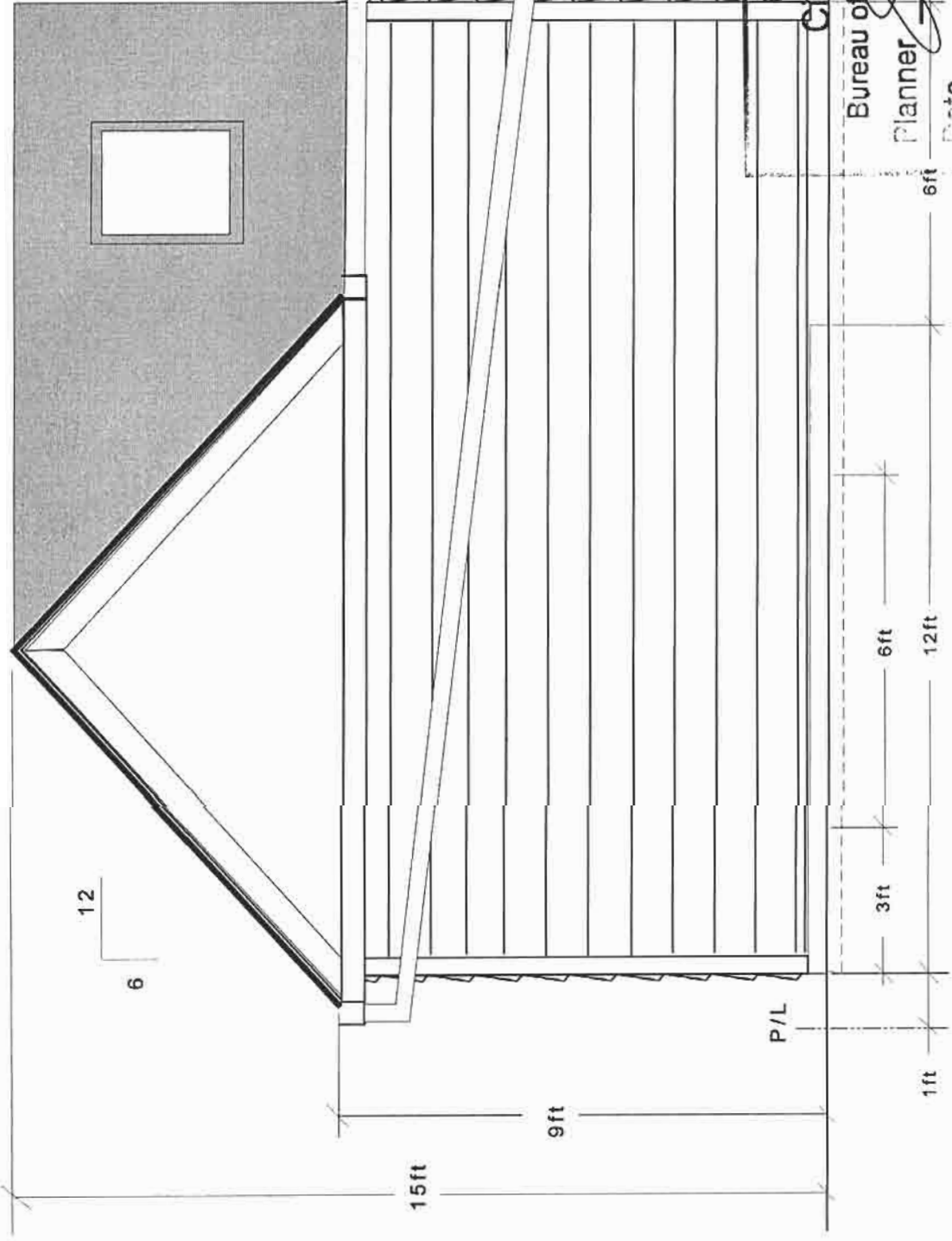
recycled windows 3ft 6ft 12ft 1/2in = 1ft

Beckett Garage - West Elevation

2816 NE 12th Ave., Portland, Oregon 97212
Lot 17 Block 81 Irvington, State ID 1N1E26BD 12400

* This approval applies only to the project as requested and is subject to all conditions of approval. Training requirements may apply.

LU 08-136941 AD
Exh. C.2



* Approved*

City of Portland

Bureau of Development Services

Planner *Sheila Trujillo*

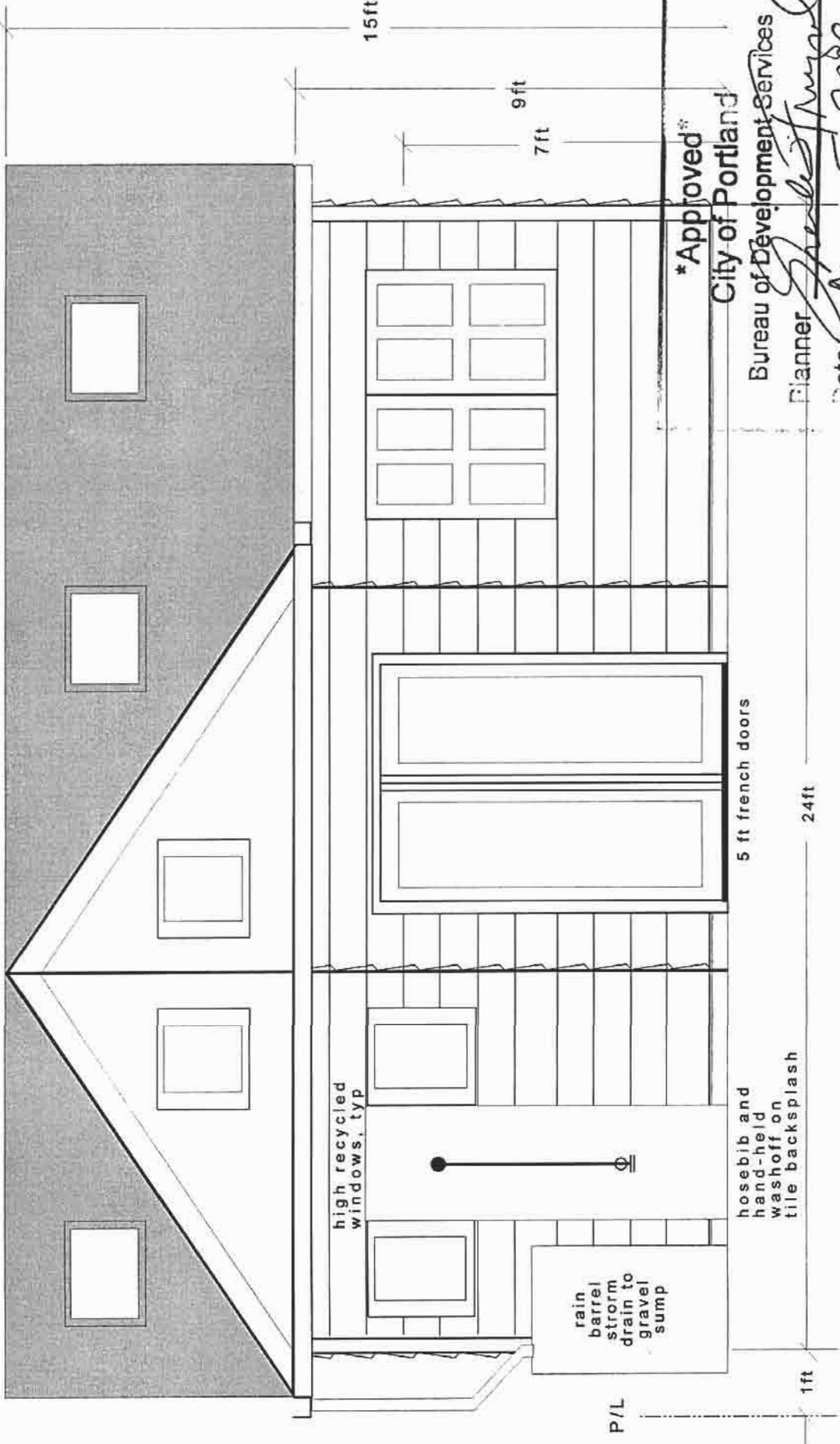
Date *Aug. 5 2008*

* This approval applies only to the reviews requested and is subject to all conditions of approval and additional zoning requirements.

Beckett Garage - East Elevation 1/2in = 1ft

2816 NE 12th Ave., Portland, Oregon 97212
 Lot 17 Block 81 Irvington, State ID 1N1E268D 12400

*LW 08-136941 AD
 Exh. C.3*



high recycled windows, typ

rain barrel storm drain to gravel sump

hosebib and hand-held washoff on tile backsplash

5 ft french doors

24ft

1ft

9ft

15ft

7ft

P/L

Approved
 City of Portland
 Bureau of Development Services
 Planner *Shelley Arnold*
 Date *Aug. 5, 2008*

Beckett Garage - North Elevation

1/2 in = 1 ft * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

2816 NE 12th Ave., Portland, Oregon 97212
 Lot 17 Block 81 Irvington, State ID 1N1E26BD 12400

LW 08-136941 AD
Exh. C.4