

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

FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: April 5, 2013

To: Interested Person

From: Kathleen Stokes, Land Use Services

503-823-7843 / Kathleen.Stokes@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood that requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. Copies of the site plan, elevation drawings and zoning map are 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 April 26, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-115408 AD, in your letter. It also is helpful to address your letter to me, Kathleen Stokes.

CASE FILE NUMBER: LU 13-115408 AD

Applicant: Kevin Partain, Urban Visions

223 NE 56th Ave Portland, OR 97213

Owner: Frank Gandette, Kimco Properties

PO Box 1540 Sandy OR 97055

Site Address: 1921 N SCHOFIELD ST

Legal Description: BLOCK 22 LOT 33, KENTON

Tax Account No.: R445910720, R445910720, R445910710

State ID No.: 1N1E09DA 09801, 1N1E09DA 09801, 1N1E09DA 09800

Quarter Section: 2228

Neighborhood: Kenton, contact Steve Rupert at 503-317-6573.

Business District: Kenton Business Association, Jessie Burke at 971-404-9673. Interstate

Corridor Business Association, Alexsandra Johnson at 503-735-4420.

District Coalition: North Portland Neighborhood Services, Mary Jaron Kelley at 503-823-

4099.

Plan District: Kenton (also Kenton Historic Conservation District)

Zoning: R2ad (R2,000, Low Density Multi-dwelling Residential, with Alternative

Design Density Overlay and Design Overlay)

Case Type: Adjustment Review

Procedure: Type II, administrative decision with appeal to Adjustment Committee.

Proposal: The applicants are proposing construction of two new single-dwelling residences on two existing 25-foot-wide lots. The proposed structures include elements that are required to

meet the Community Design Standards, which are a means of meeting the requirements of the Design Overlay designation. One of these elements, a covered front entry porch that has a minimum area of six feet in width and four feet in depth extends into the required side building setback. The porch decks and posts are proposed to be located two feet from the side property lines on each lot and the roofs on the porches would extend to one foot from the side property lines. Exceptions to development standards are approved through Adjustment Reviews when the relevant approval criteria are met or if the criteria can be met through conditions of approval. Therefore, the applicants are requesting adjustments to Code Section 33.120.220 B, to reduce the minimum building setbacks for the proposed porches, from 5 feet to 2 feet from the side property lines and also to reduce the minimum setback for the porch roof eaves, from four feet to one foot from the respective side property lines for each lot.

The purpose of building setback requirements are to maintain light, air, separation for fire protection, and access for fire fighting. Setback standards also reflect the general building scale and placement of multi-dwelling development in the City's neighborhoods and promote a reasonable physical relationship between residences. They promote options for privacy for neighboring properties and 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.

Relevant Approval Criteria: To be approved, this proposal must comply with the approval criteria of 33.805.040 A.-F., Adjustments, cited below.

- **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 a OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and
- **C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and
- D. City-designated scenic resources and historic resources are preserved; and
- **E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and.
- **F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.

Zoning Code Section *33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on February 12, 2013 and determined to be complete on April 2, 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.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 550 Capitol St. NE, Suite 235, Salem, OR 97301. 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 Elevation Drawings



ZONING

2228 1/4 Section

1 inch = 200 feet Scale, 1N1E09DA 9800 State_ld

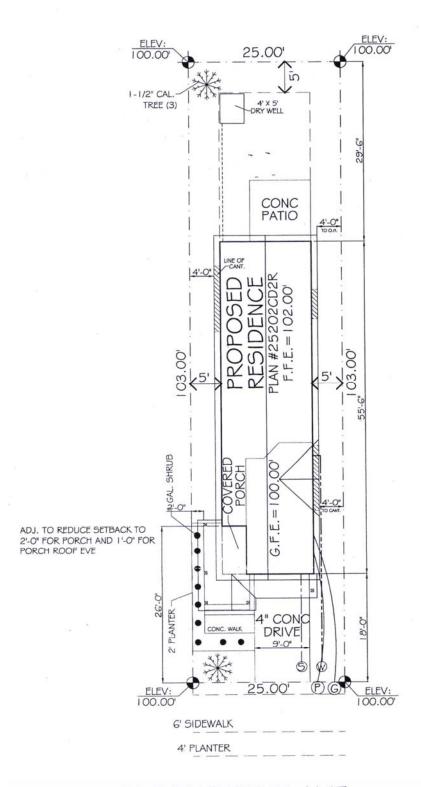
В Exhibit_

(Feb 13,2013)

Historic Landmark



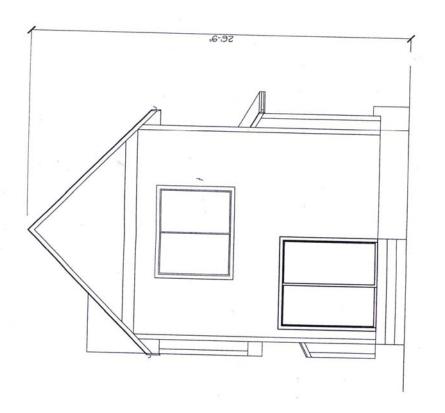
This site lies within the: Kenton Plan District Area



N SCHOFIELD AVE.

IMPERVIOUS SURFACE ARI

DRIVEWAY	162 SQ F
PATIO	100 SQ F
PORCH	97 SQ F
HOUSE (INC. EAVES)	1063 5Q
TOTAL	1422 5Q



REAR ELEVATION

FRONT ELEVATION

SCALE: 1/4" = 1'-0"

SCALE: 1/4" = 1'-0"

COMP. ROOFING

2" X 8" BARGE BD. (TP.)

5 1/4" FASCIA GUTTER

5/4 X 4" CORNER BDS.

3 1/2" TRIM @ WINDOWS

4 EXT. DRS. (TP.)

1 LAP SIDING @ ALL SIDES

8" DECO POST

ON FRONT FACADE

ON FRONT FACADE

ON FRONT FACADE

ON FRONT FACADE

LU13-115408AD



