



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: February 20, 2014
To: Interested Person
From: Amanda Rhoads, Land Use Services
503-823-7837 / Amanda.Rhoads@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on March 13, 2014.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 14-109478 AD, in your letter. It also is helpful to address your letter to me, Amanda Rhoads.

CASE FILE NUMBER: LU 14-109478 AD

Applicant: Andy Stember
JAS Engineering
1419 Washington St #100
Oregon City, OR 97045

Owners: Kimberly and Nicole Gupta
2815 NW Cornell Rd
Portland, OR 97210

Site Address: 2815 NW CORNELL RD
Legal Description: BLOCK A TL 800, FORDHAM HTS
Tax Account No.: R290600430
State ID No.: 1N1E32AB 00800
Quarter Section: 2926
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: None
Zoning: R2 – Multi-Dwelling Residential 2,000
Case Type: AD – Adjustment Review
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:

The applicant proposes to build a new deck off of the side of the first floor of the house (the lower unit in the duplex). Minor projections like uncovered balconies are allowed to project into the required side or rear setbacks up to 20%. This deck, however, will extend into the required

side setback further than the 20% allowed, and is proposed to be located 1.5 feet from the property line.

Because the site is in the Residential 2,000 Multi-Dwelling zone, side and rear setbacks are calculated based on the different planes of the building wall. In this case, the setbacks for the three planes of the building wall east to west are 8 feet, 5 feet and 6 feet. Taking into account the 20% allowed projection for each of those planes (1.6 feet, 1 foot and 1.2 feet, respectively), the applicant is requesting an Adjustment for the deck to extend 4.9 feet, 2.5 feet and 3.3 feet into the required setbacks of the three portions of the house.

Where the setback is:	8 feet (eastern plane)	5 feet (central plane)	6 feet (western plane)
20% projection allowed	1.6 feet	1 foot	1.2 feet
Difference between allowed and proposed	From 6.4 feet to 1.5 feet	From 4 feet to 1.5 feet	From 4.8 feet to 1.5 feet
Adjustment request	4.9 feet	2.5 feet	3.3 feet

Further, an existing walkway on the side of the house (east of and connecting to the proposed deck) is located 5 feet, 5 inches from the property line, which is one foot further into the 8-foot setback than allowed with the 20% allowance. This proposal includes the request to legalize this section of existing deck through Adjustment to the required side setback.

Setback standards for sites in the multi-dwelling zones are found in Zoning Code Section 33.120.220.B.1 and Tables 120-3 and 120-4. The standard for extensions into required building setbacks by minor features like an uncovered balcony is in Zoning Code Section 33.120.220.D.1.

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.

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
- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and
- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and *(not applicable)*
- D.** City-designated scenic resources and historic resources are preserved; *(not applicable)*
- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and
- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable; *(not applicable)*

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on January 24, 2014 and determined to be complete on February 18, 2014.

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.

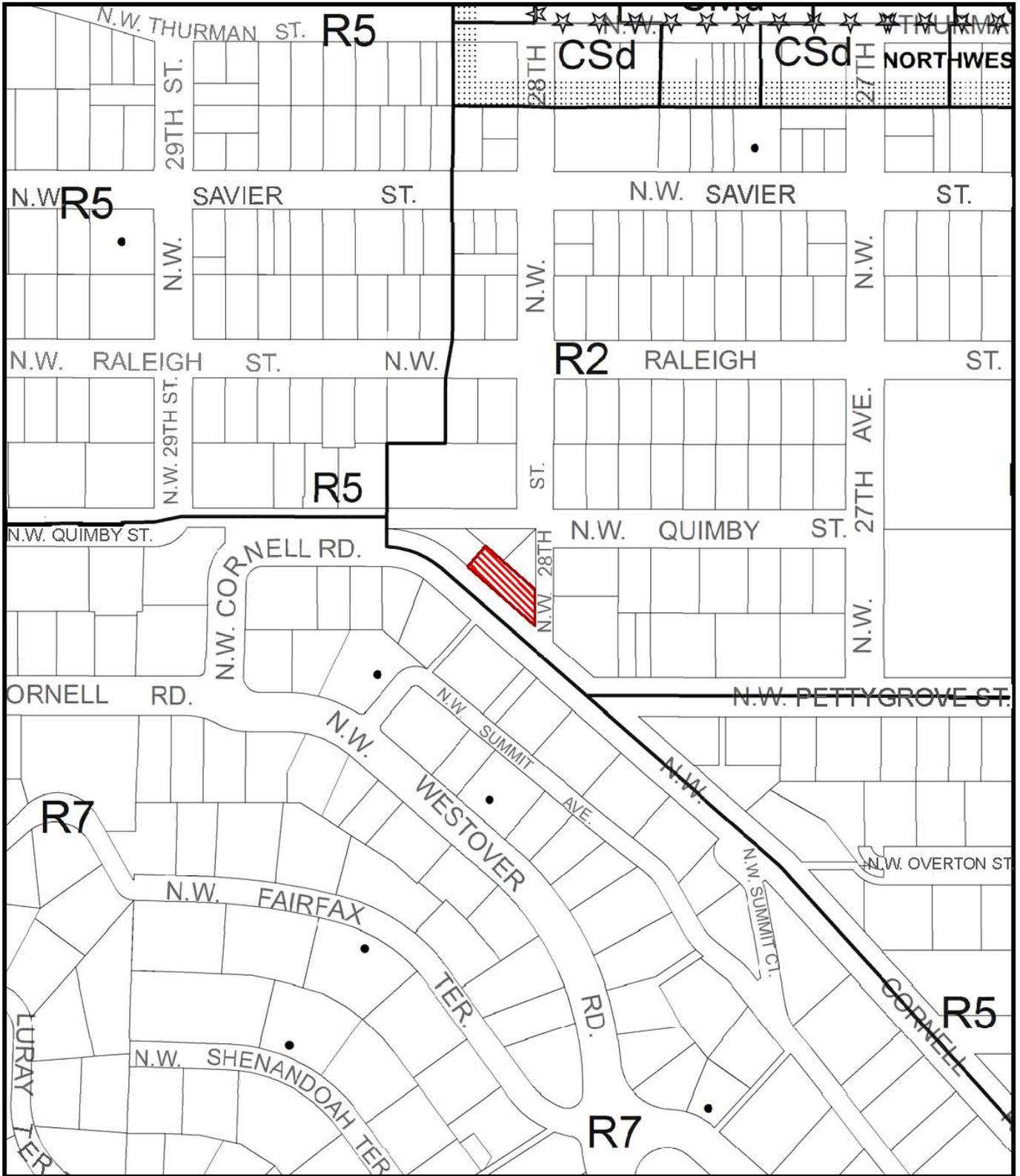
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map
Site Plan
Front Elevation
Side Elevation



ZONING



Site



Historic Landmark



File No. LU 14-109478 AD
 1/4 Section 2926
 Scale 1 inch = 200 feet
 State_Id 1N1E32AB 800
 Exhibit B (Jan 30, 2014)

119 Washington St.
 Suite 100
 Oregon City, Oregon 97044
 Work: 503.657.9800
 Cell: 503.449.3080
 Andy@jasengr.com



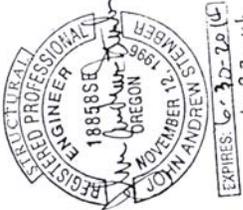
SWANSON CONSTRUCTION
 DUPLEX REMODEL
 2815 NW CORNELL
 PORTLAND, OREGON 97210

COPYRIGHT 2012 JAS ENGINEERING	DESIGN BY: JAS	DRAWN BY: db	JAS PROJ. NO: 13-039	ISSUE DATE: 1/02/2013
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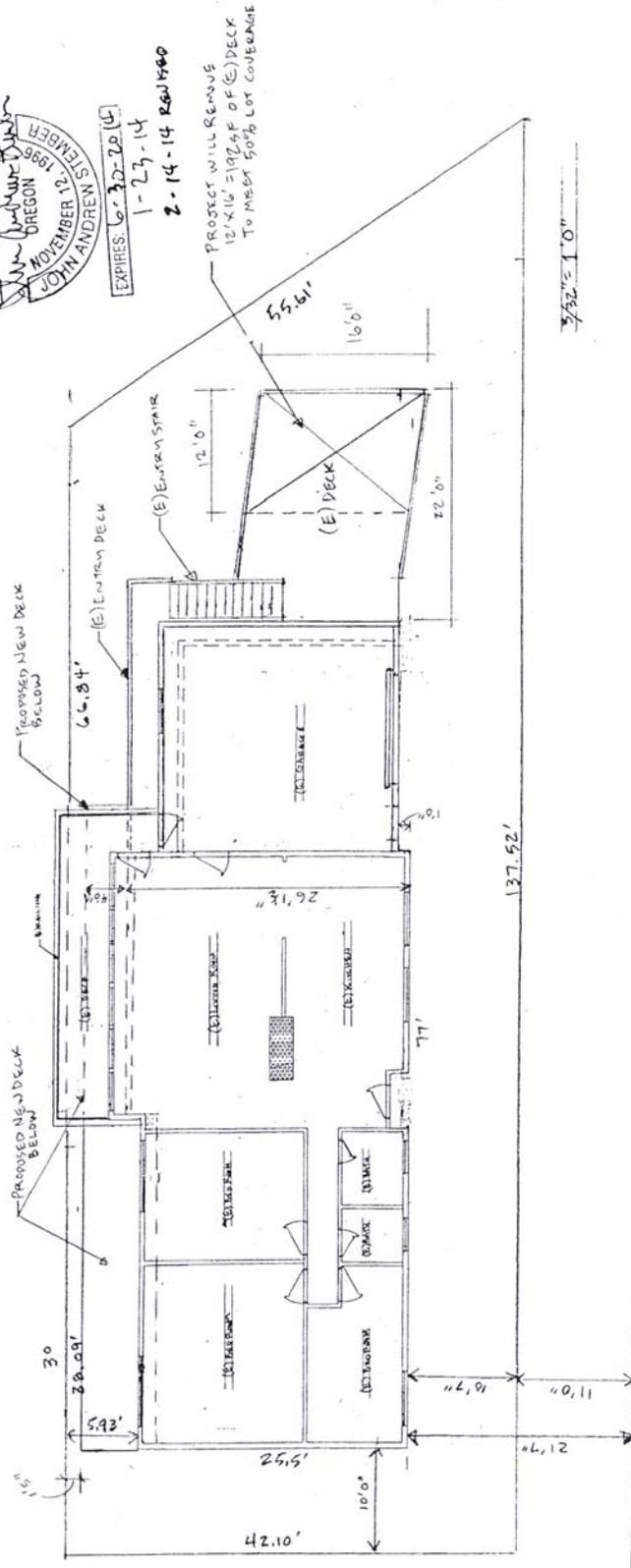
PROJECT: SITE PLAN	SHEET NO: C-10
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Lot size = 5103.6 sq ft
 (E) House = 1973.3 sq ft
 (E) Deck = 597.0 sq ft
 Proposed Deck = 174.5 sq ft
 Removed Deck = 102 sq ft
 TOTAL LOT COVERAGE = 2552.8 sq ft

$\frac{2552.8 \text{ sq ft}}{5103.6 \text{ sq ft}} = 0.500$ 50% Lot Coverage



EXPIRES: 6-30-2014
 1-23-14
 2-14-14 Revalued
 PROJECT WILL REMOVE
 12'x16' = 192 sq ft OF (E) DECK
 TO MEET 50% LOT COVERAGE



1" = 10'
 NW CORNELL

Site Plan

LU 14-109478

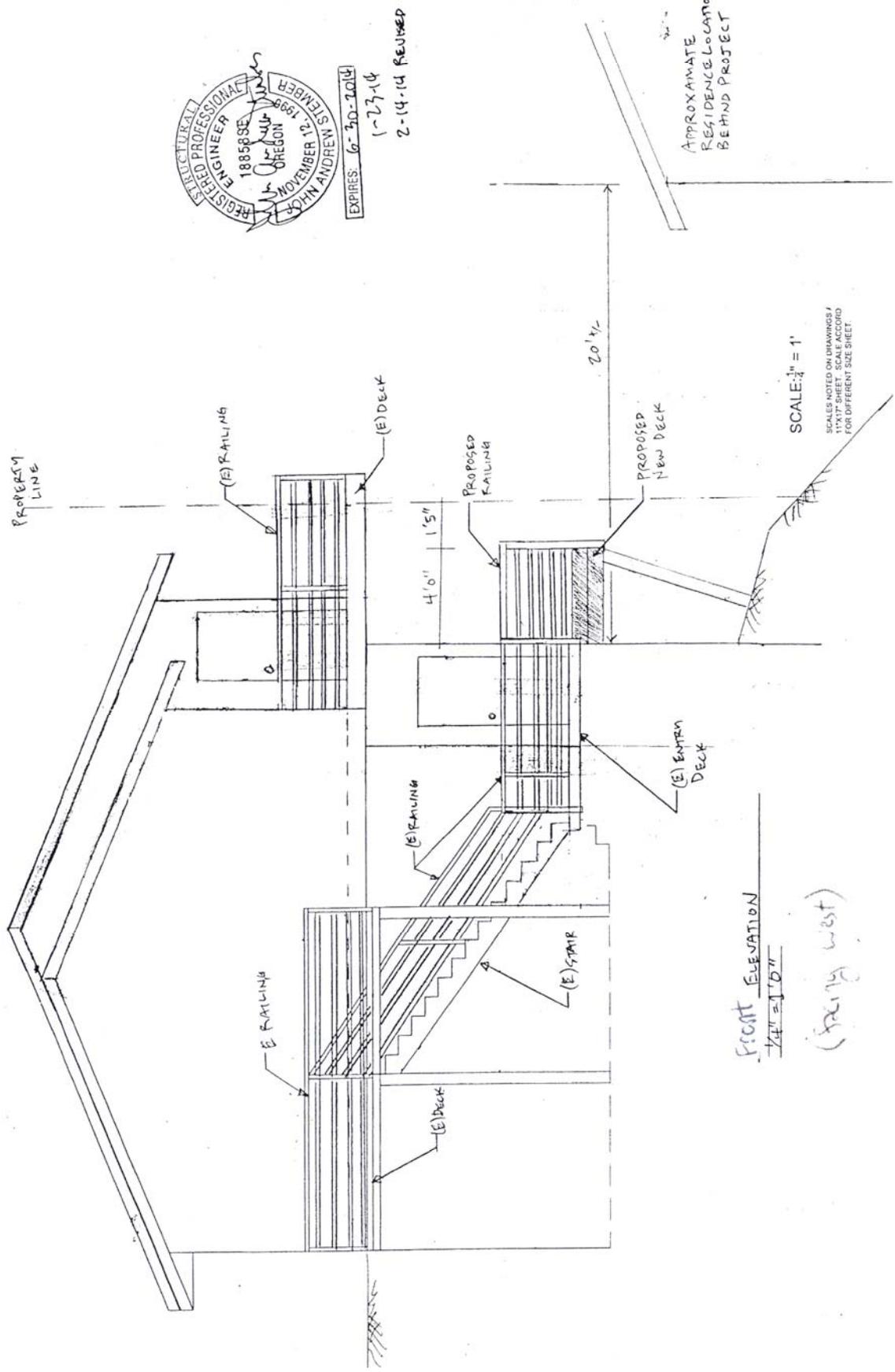
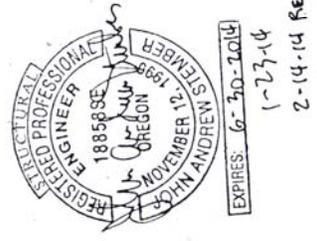
1419 Washington St.
 Suite 100
 Oregon City, Oregon 97045
 Work: 503-657-9800
 Cell: 503-449-3080
 Andy@jasenginc.com



SWANSON CONSTRUCTION
 DUPLEX REMODEL
 2815 NW CORNELL
 PORTLAND, OREGON 97210

ISSUE DATE:	1/06/2013
JAS PROJ NO:	13-039
DESIGN BY:	JAS
DRAWN BY:	4

SHEET NO.	A-1.1(a)
SHEET TITLE	Front ELEVATION W/E House BEHIND



FRONT ELEVATION
 3/4" = 1' 0"
 (Facing west)

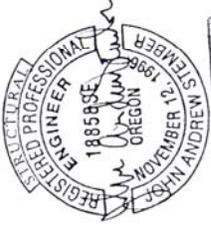
1419 Washington St.
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Oregon City, Oregon 97045
Work: 503-449-3080
Cell: 503-449-3080
Andy@jasenginc.com



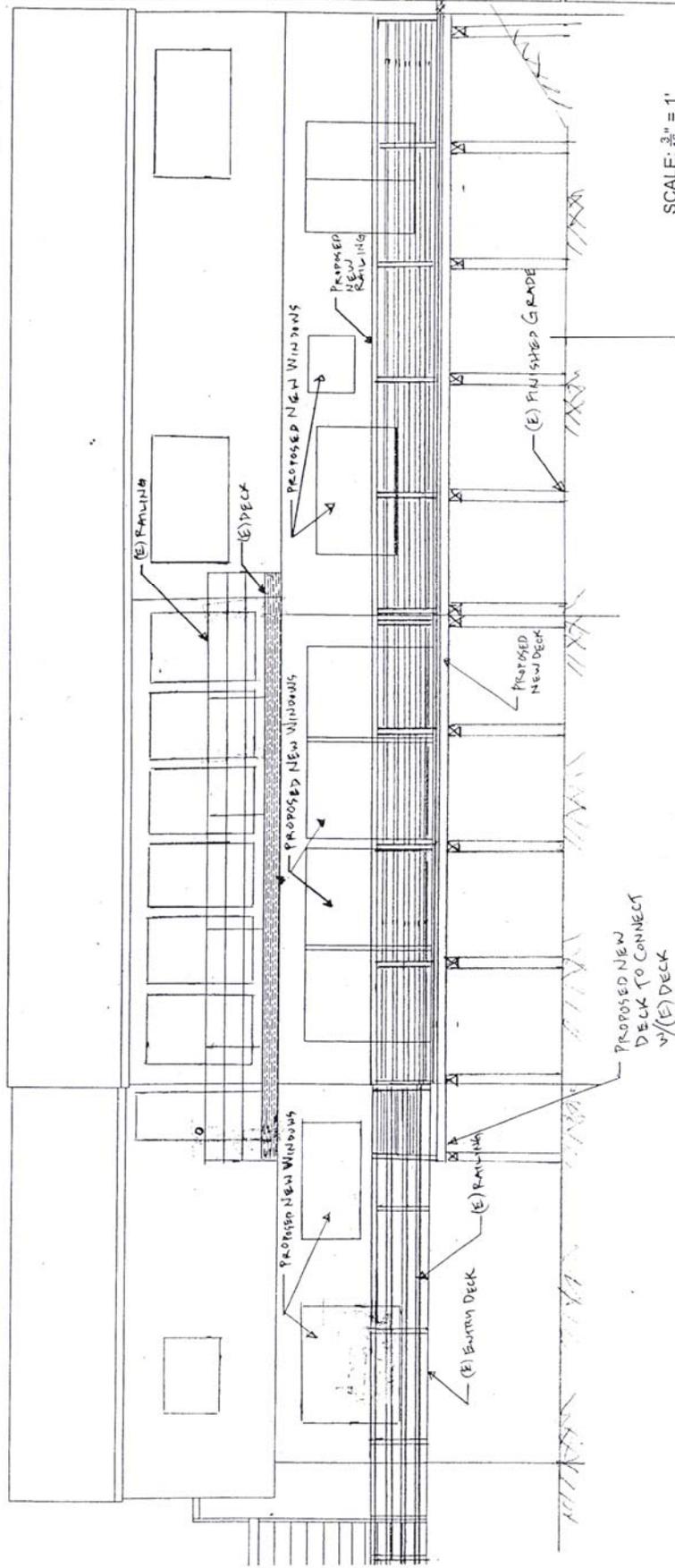
SWANSON CONSTRUCTION
2815 NW CORNELL
PORTLAND, OREGON 97210

JAS ENGINEERING
DESIGN BY: JAS
DRAWN BY: qb
JAS PROJ. NO: 13 039
ISSUE DATE: 1/02/2013

SHEET TITLE
Side
ELEVATION
SHEET NO.
A-1.2



EXPIRES: 6-30-2014
1-23-14
2-14-14 REVISED



SCALE: 3/16" = 1'

SCALES NOTED ON DRAWINGS ARE FOR 11X17" SHEET. SCALE ACCORDINGLY FOR DIFFERENT SIZE SHEET.

Elevation facing south