



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

FROM CONCEPT TO CONSTRUCTION

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** July 2, 2014  
**To:** Interested Person  
**From:** Matt Wickstrom, Land Use Services  
503-823-6825 / [Matt.Wickstrom@portlandoregon.gov](mailto:Matt.Wickstrom@portlandoregon.gov)

## **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 the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 14-146442 AD**

#### **GENERAL INFORMATION**

**Applicant:** Ingrid McTaggart  
3021 SE 56th Ave  
Portland, OR 97206

**Site Address:** 3319 SE 49TH AVE

**Legal Description:** BLOCK 10 LOT 10, CRESTON  
**Tax Account No.:** R185202330  
**State ID No.:** 1S2E07BD 12100  
**Quarter Section:** 3335  
**Neighborhood:** Richmond, contact Douglas Klotz at 503-233-9161  
**Business District:** Division-Clinton Business Association, contact Darice Robinson at 503-233-1888  
**District Coalition:** Southeast Uplift, contact Bob Kellett at 503-232-0010.  
**Zoning:** R5 (R2.5) – Residential 5,000 with a Comprehensive Plan Map designation of Residential 2,500  
**Case Type:** AD (Adjustment Review)  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

#### **Proposal:**

The applicant proposes to move a single-story detached house to this site. The new house will face SE Haig Street. The existing house which faces SE 49<sup>th</sup> Avenue is proposed to remain and be converted to an accessory dwelling unit (ADU). The Portland Zoning Code allows ADUs to be added to any house in a residential zone but limits the size of the ADU to 800 square feet or 75% of the living area of the primary house, whichever is less. The new house to be moved to the site measures 982 square feet in floor area. The floor area of the existing home to be converted to the ADU measures 835 square feet. The applicant requests one Adjustment to allow the ADU to exceed the 736 (75% of 982 square feet) by 99 square feet. The ADU regulations also state that the building coverage of accessory structures (such as ADUs or sheds) cannot exceed 15% of the site area, or 750 square feet in this situation. The ADU building coverage measures 886 square feet, approximately 18% of the site area. The applicant

requests a second Adjustment to allow the accessory structure to cover 18% of the site area. The Portland Zoning Code also requires the siding, roof pitch, trim, windows and eaves of the ADU to match those of the primary house. The applicant requests a third Adjustment to waive the requirement that the roof pitch and windows of the ADU match the primary house.

**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 5,000 square foot site is located at the corner of SE 49<sup>th</sup> Avenue and SE Haig Street. A single-dwelling residence is located toward the back of the site. The 915 square foot home fronts on SE 49<sup>th</sup> Avenue and is approximately 66 feet from SE Haig Street. It has a 50 square foot front porch and a basement with a floor-to-ceiling height of 6-foot 1-inch.

The surrounding vicinity contains a variety of uses. A U-Haul rental truck lot is located across SE Haig Street from the site. An auto parts store fronting on SE Powell Boulevard is also located across the street. A large monopole is located between the rear of the auto parts store and SE Haig Street. Single-dwelling residences are located to the west and north of the site as well as the east across SE 49<sup>th</sup> Avenue. The remainder of the vicinity to the north of the site is developed with single-dwelling residences built in a variety of decades. Some of the homes have a typical Portland craftsman character while others were built in later decades and have flatter roofs and less articulation. Commercial businesses, including auto-oriented commercial businesses, are located along SE Powell Boulevard south of the site.

**Zoning:** The site is zoned R5 (R2.5) – Residential 5,000 with a Comprehensive Plan Map designation of Residential 2,500. The R5 zone is intended to foster the development of single-dwelling residences on lots having a minimum area of 3,000 square feet, with minimum width and depth dimensions of 36 and 50 feet, respectively. Newly created lots must have a maximum density of 1 lot per 5,000 square feet of site area.

The R2.5 zone is intended to foster single-dwelling residences. The minimum density for new lots in this zone is 1 unit per 5,000 square feet and the maximum density is 1 unit per 2,500 square feet. Both detached and attached single-dwellings are allowed. Minimum lot size for both types of development is 1,600 square feet with a minimum lot width of 36 feet, minimum front lot line of 30 feet and minimum depth of 40 feet. The R2.5 zoning could be requested through a Zoning Map Amendment Review.

**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 **May 14, 2014**. The following Bureaus have responded:

The Water Bureau responded with no issues and provided information on water service (Exhibit E-1).

The Site Development section of the Bureau of Development Services (BDS) responded with information on erosion control and stormwater discharge (Exhibit E-2).

The Life Safety section of BDS responded with information on obtaining a building permit (Exhibit E-3).

The Fire Bureau, Bureau of Environmental Services, Portland Bureau of Transportation and Parks Bureau responded with no concerns (Exhibit E-4).

**Neighborhood Review:** One written response has been received from a notified property owner in response to the Notice of Proposal.

The neighbor across SE 49<sup>th</sup> Street provided written comments. The comments state that the house being moved to the site is smaller than reported in the Notice of Proposal. The response notes that the existing house which is proposed to become the ADU has a basement and doesn't look like an ADU. The response also notes that the house proposed to be moved to the site does not match the siding, windows, eaves and roof pitch of the proposed ADU. The neighbor notes an interest in not seeing the neighborhood "deteriorate any further". The response also notes that the drawing accompanying the Notice of Proposal were not to scale. The response notes that the proposal didn't address parking. The response also states "I am not opposed to using the property for a new small house or a real ADU but based on the information on the quality of house, it looks like one of the roof trusses is broken and also inaccurate information about the actual size of the house, it is evident this will only degrade the quality of the neighborhood".

*Staff response: The site plan and Notice of Proposal stated that the size of both houses, including the front porches, which don't qualify as living area and should not have been included. The sizes were also based on measurements to the exterior walls; however, living space is measured to the interior walls of the structure. Measurements have been revised with this decision. The basement of the existing home proposed to be converted to the ADU has a floor-to-ceiling height of less than 6 feet 2 inches and therefore does not qualify as living space. This topic receives further discussion in the findings below. The siding, windows, eaves and roof pitch of the house to be moved to the site are discussed as part of the findings below. Conditions of approval are added to this land use review which require improvements not only to the home to be moved to the site, but also the existing home. New scaled elevation drawings of the house to be moved to the site have been provided. No parking is required for ADUs. Also, no parking is required for the new house because it is located within 500 feet of SE Powell Boulevard which has frequent transit service.*

## 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.

1. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

**Findings:** The applicant requests three Adjustments to the design standards for ADUs. The purpose of these standards is listed below:

*Standards for creating accessory dwelling units address the following purposes:*

- *Ensure that accessory dwelling units are compatible with the desired character and livability of Portland's residential zones;*

- *Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards;*
- *Ensure that accessory dwelling units are smaller in size than houses, attached houses, or manufactured homes; and*
- *Provide adequate flexibility to site buildings so that they fit the topography of sites.*

The applicant proposes to move a new house to this site and then permit the existing house as an ADU. In order to do so, the applicant requires approval of three Adjustments to the design-related standards of the ADU regulations in the Portland Zoning Code. The first Adjustment is to allow an 835 square foot ADU, which represents an increase of 99 square feet over the 736 square foot size allowed by right for this site. The second Adjustment is to increase the maximum allowed building coverage for accessory structures from 15% to 18%. The third Adjustment is to allow the roof pitch and window proportions of the ADU and the house to be different. Each requested Adjustment is discussed individually below:

#### Increase maximum allowed ADU size

ADU size limitations are in place to ensure they are compatible with the desired character and livability of Portland's residential zones, to respect the general building scale and placement of structures and to ensure that ADUs are smaller in size than the primary structure.

The zoning code defines desired character as "The preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted area plans or design guidelines for an area." In this situation desired character is based on the *Richmond Neighborhood Plan* and the purpose statement of the single-dwelling zones.

The *Richmond Neighborhood Plan* contains a housing policy stating "preserve and improve existing housing while providing opportunities for new housing for people of all ages and income levels". The overall project supports this policy for two primary reasons. First of all, it will provide a new housing opportunity. Secondly, the applicant proposes improvements to the existing house (the proposed ADU) as well as to the new house to be moved to the site. These improvements include removing the siding on the proposed ADU to reveal the original 2.5-inch tear-drop siding and replacing trim that is missing around some areas of the house. The new structure will also be resided in 2.5-inch tear-drop siding and comparable trim so the two structures better complement each other. In order to ensure that the original siding from the existing house (the proposed ADU) is exposed and trim added where missing, a condition of approval is added to this land use review that requires these improvements to be done within one year from the mailing date of this land use review.

The purpose statement for Portland's single-dwelling zones states "the single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling zones. Again, the overall project supports the purpose of the single-dwellings because it will provide housing opportunities for individual households. As the purpose is also to implement the comprehensive plan policies and designations, it is important to note the R2.5 (Residential 2,500) Comprehensive Plan Map designation of the site. The R2.5 zone provides for the most intense single-dwelling development opportunities in Portland. In fact, were the Comprehensive Plan Map designation applied to the site and if the applicant completed a land division to create two 2,500 square foot lots, as allowed in the R2.5 zone, the proposal would be allowed by right without an Adjustment Review.

The overall project and proposal to increase the maximum allowed size of the ADU also reflects the general building scale and placement of structures. In Portland's inner

neighborhoods corner lots are often developed more intensely than lots interior to the block. This is in part because the dual street frontages allow greater potential for two dwelling units, with less visual impacts because one unit faces one street, and the other house faces the other street. In these areas, it is not uncommon to find two smaller houses on two smaller corner lots. In addition, neither structure provides more than 1,000 square feet of living space and the project provides 12 feet of separation between the two structures. Therefore, the proposal maintains the general building scale and placement of homes while still providing opportunities for shared or more efficient use of the site.

At 835 square feet, the proposed ADU will be smaller in size than the 982 square foot house. The neighbor across the street makes a good point that the basement of the proposed ADU creates additional size and causes the structure to appear larger than a typical ADU. Although detached ADUs do not typically have basements, the presence of an ADU cannot automatically disqualify the structure especially considering that the basement does not meet the Portland Zoning Code definition of living space and it doesn't meet Building Code requirements for finished space. Due to this situation and to ensure the basement area is used as accessory storage space, not living space, a condition of approval has been added to this review stating that the basement of the proposed ADU cannot be used as or advertised as anything other than storage space.

#### Increase maximum allowed accessory structure building coverage

Limitations on the maximum allowed building coverage for accessory structures, including ADUs, help to respect the general building scale and placement of structures in neighborhoods and to ensure that ADUs are smaller in size than houses. The proposal equally meets these intentions. The footprint or building coverage for the existing house, proposed as the ADU, is 886 square feet whereas the maximum accessory structure building coverage allowed by right is 750 square feet. The proposal represents an 18% increase over the building coverage allowed by right which does not reflect a significant increase and because both structures are single-story and the overall scale of the site is consistent with the surrounding area. At 886 square feet, the building coverage of the proposed ADU is also less than the 1,014 square foot building coverage of the proposed primary house.

#### Allow roof pitch and windows of ADU and primary structure to be different

Regulations requiring the ADU exterior finish material, roof pitch, trim and windows match the primary structure help to ensure the ADU is compatible with the desired character and livability of Portland's neighborhoods. This aspect of the purpose statement was discussed above in terms of the proposed size of the ADU; however the proposed roof pitch and windows are also compatible with this statement. The roof pitch of the home to be relocated to the site, and which will serve as the primary dwelling, is 4/12. The roof pitch of the existing house which will serve as the accessory dwelling unit is steeper (approximately 8/12). However, the 4/12 (flatter) roof pitch is present for at least 3 other nearby homes. Therefore, the flatter roof pitch is not out of character with surrounding development, whether it matches the other house on the site or not. The same can be said for the windows of the home to be moved to the site. This home is designed with horizontal and square styled windows. These types of windows are characteristic of other homes in the vicinity. The exterior finish material and trim of the primary structure and ADU are conditioned to match as part of this land use review.

Based on the information above, despite the larger size, greater building coverage and different roof pitch and windows, and with two conditions of approval, the overall proposal and proposed accessory dwelling unit still meets the overall purpose for regulations pertaining to ADUs. 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:** Livability and appearance were discussed in Criterion A. The appearance of the ADU and house proposed to be moved to the site will be improved through the condition of approval which requires both structures to have matching siding and trim. The new home has a roof pitch that will not match the existing home on the site, proposed as the ADU; however, the roof pitch and window proportion of the new home match that of other homes in the immediate vicinity. The proposal to increase the maximum allowed size and the maximum building coverage of the ADU also will not significantly detract from the livability or appearance of the surrounding area. Both homes are relatively small and therefore will not overwhelm the site. In addition, one house will orient toward SE Haig Avenue and the other house, the proposed ADU, orients toward SE 49<sup>th</sup> Avenue. This gives the appearance of two small houses on two separate lots which is a common situation in inner Portland neighborhoods especially considering that this situation is allowed by right in the R2.5 zone. This situation also doesn't negatively impact the appearance or livability of the area – it provides additional residential density without significant impacts. Based on this information, 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 addressed above under Criterion A. The purpose is to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing. The cumulative effect of the three proposed Adjustments does not result in a cumulative impact that is inconsistent with the purpose of the single-dwelling residential zones. The project will still provide housing opportunities for individual households; in fact, two housing opportunities will now be provided. Based on this information, this criterion is met.

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

**Findings:** City designated resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. There are no such resources present on the site. Therefore, this criterion is not applicable.

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

**Findings:** The proposal adequately mitigates for any impacts resulting from the Adjustments. Two conditions of approval are included with this land use review. The first requires that the siding and trim of the home to be moved onto the site and the home proposed to be the ADU match. This creates a visual connection between the two structures and will result in an improved appearance of both. The condition of approval that requires the basement of the ADU to be used for non-living space uses such as storage ensures that that structure functions in a manner more consistent with ADUs. Finally, the way the two houses are oriented on the site also mitigates for any potential visual impacts. Both homes are relatively small and face different streets. In this way, they may appear as two separate house on two smaller lots, one being a corner lot. This situation is relatively common in inner Portland neighborhoods. Based on this information, 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. 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

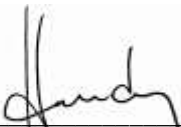
The applicant proposes three Adjustments to the ADU standards of the Portland Zoning Code. The first Adjustment request is to allow the ADU to be 99 square feet larger than allowed by right, or 835 square feet instead of 736 square feet. The second Adjustment request is to allow the building coverage of the ADU to exceed 15% of the site area, or 18% building coverage instead of 15%. The third Adjustment request is to allow the siding and trim of the two structures to match but not the roof pitch or window proportion. With conditions of approval that the basement may not be used as living area, and that the siding and trim of the two structures match, along with consideration that homes with similar roof pitches and window proportion are found in the immediate vicinity and that both homes are relatively small in size and face different street frontages, the proposal meets the approval criteria and should be approved.

## ADMINISTRATIVE DECISION

Approval of three Adjustments to standards of the Portland Zoning Code: the first to increase the maximum allowed living area of the ADU to 835 square feet (33.205.030.C.6); the second to increase the maximum allowed building coverage of the ADU to 18% of the site area (33.205.030.D.3); and the third to allow the roof pitch and the window proportion of the ADU to vary from that of the house, per the approved site plans, Exhibits C-1 through C-4, signed and dated June 30, 2014, subject to the following conditions:

- A. 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 14-146442 AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Exterior siding on the existing house (the ADU) must be removed to reveal the 2.5-inch original tear-drop siding. Siding must match that of the proposed primary structure on the site. Both structures must have trim of equal widths around all windows, doors and at the corners of the structures. This work must be completed within one-year of the mailing date of this land use review.
- C. The basement of the ADU cannot be used for or advertised as living space.

**Staff Planner: Matt Wickstrom**

**Decision rendered by:**  **on June 30, 2014**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: July 2, 2014**

**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 April 22, 2014, and was determined to be complete on **May 9, 2014**.

*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 April 22, 2014.

*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. Unless further extended by the applicant, **the 120 days will expire on: September 5, 2014.**

**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 July 16, 2014** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> 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. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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 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](http://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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 **July 17, 2014 – (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.

**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**

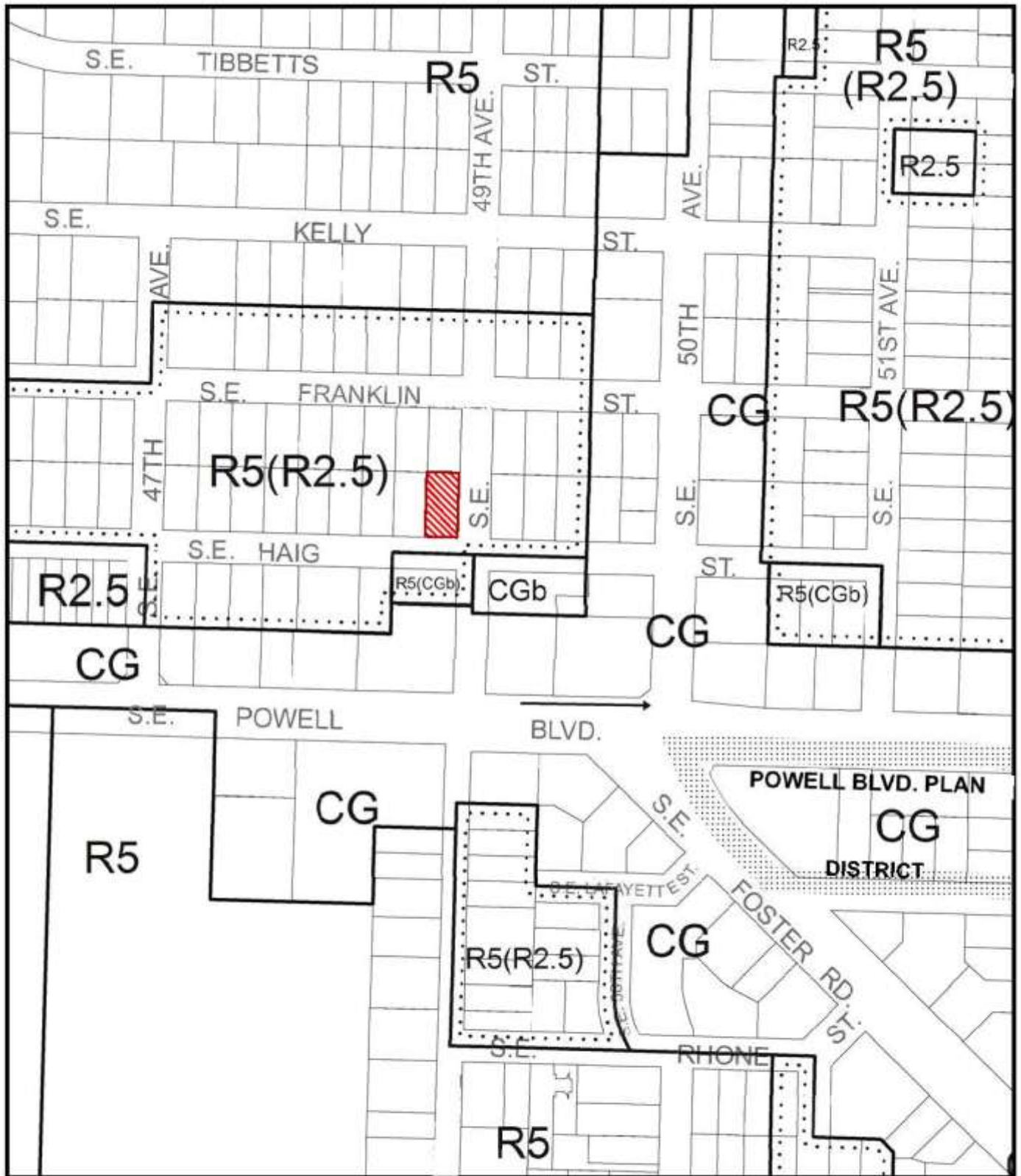
NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement and Original LU Application

1. Email from applicant asking to put the application on hold dated June 5, 2014

2. Email and photo from applicant clarifying floor-to-ceiling height in basement dated June 18, 2014
  3. Email, site plan and elevation drawings from applicant dated June 23, 2014
  4. Email and photo showing original 2.5-inch tear drop siding on house to be ADU dated June 23, 2014
  5. Email from applicant clarifying living area in the proposed home to be moved to the site dated June 24, 2014
- B. Zoning Map (attached)
- C. Plans/Drawings:
1. Site Plan (attached)
  2. Northern and Southern Elevation Drawings (attached)
  3. Eastern Elevation (attached)
  4. Western Elevation (attached)
- D. Notification information:
1. Mailing list
  2. Mailed notice
- E. Agency Responses:
1. Water Bureau
  2. Site Development Review Section of BDS
  3. Life Safety Section of BDS
  4. Summary sheet of Bureau responses
- F. Correspondence:
1. Eileen Hattan, June 4, 2014, concerns about proposal

**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).**



# ZONING



Site



NORTH

File No.	<u>LU 14-146442 AD</u>
1/4 Section	<u>3335</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S2E07BD 12100</u>
Exhibit	<u>B (Apr 25, 2014)</u>

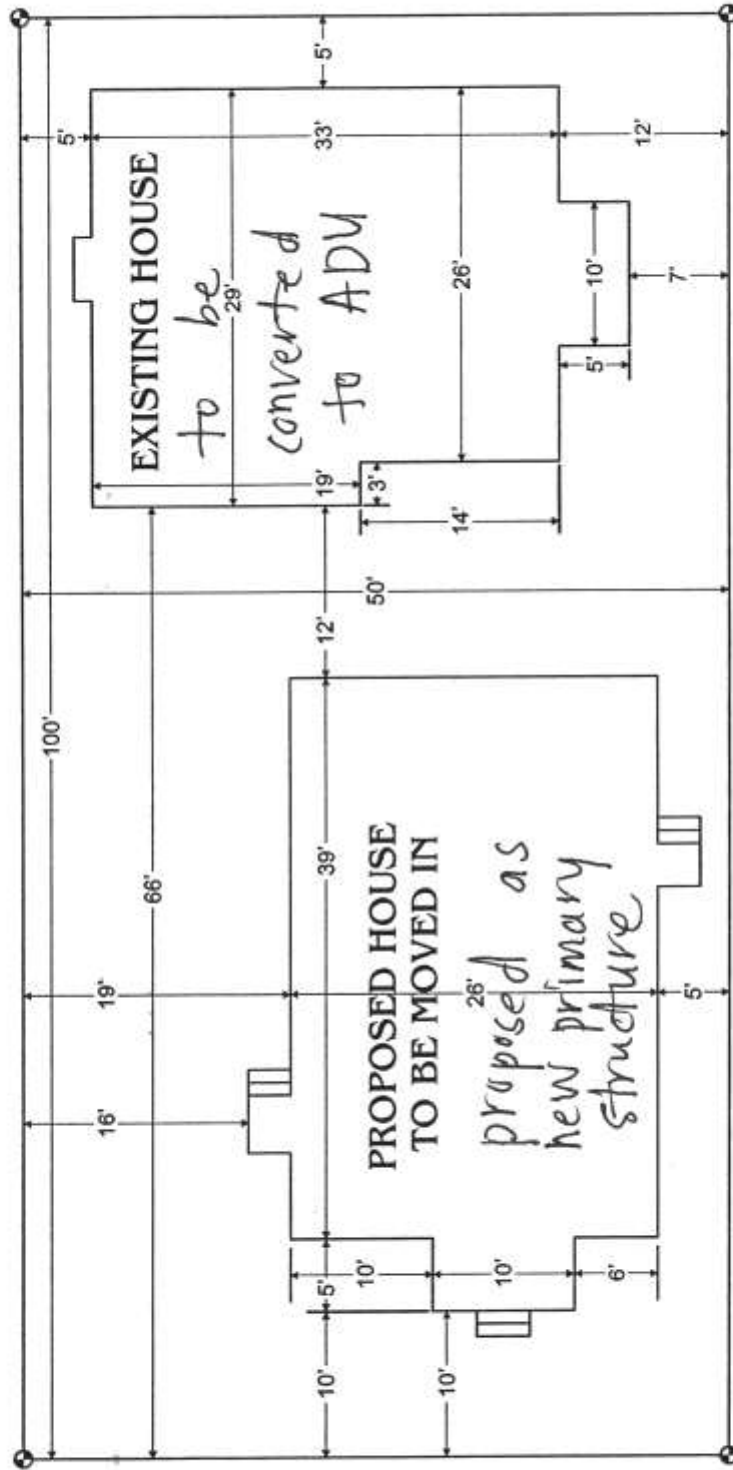
\*Approved\*

City of Portland - Bureau of Development Services

Number NEW Date 6/30/14

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

PLOT PLAN



SE 49TH AVE.

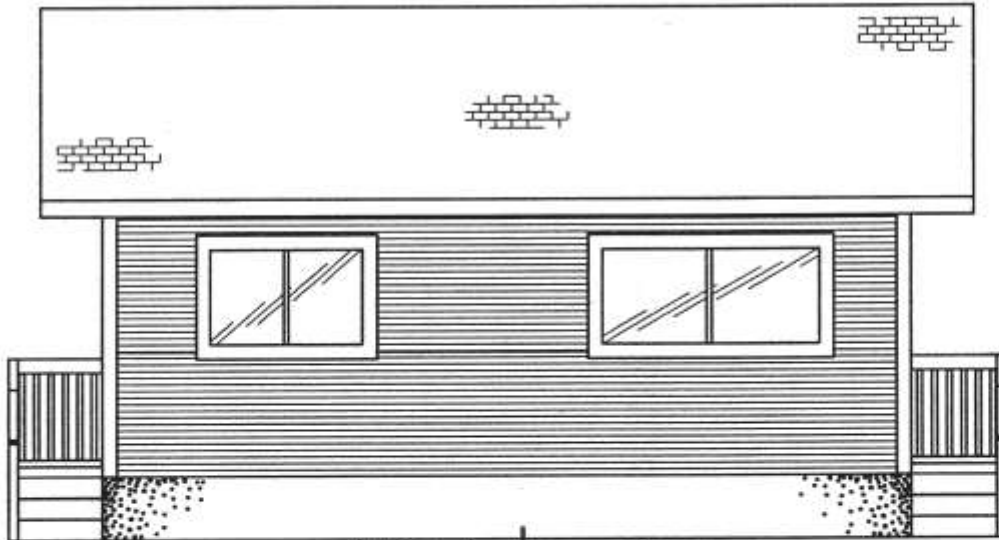
Ingrid McTaggart  
House Move  
Scale: 1/8" = 1'

Approval of  
Three  
Adjustments  
to ADU  
standards  
in the  
Portland  
Zoning  
Code

SE Haig Street

LU 14-146442 AD

Exhibit C-1



New house  
NORTHERN ELEVATION



New house  
SOUTHERN ELEVATION

Ingrid McTaggart  
House Move  
Scale: 1/4" = 1'

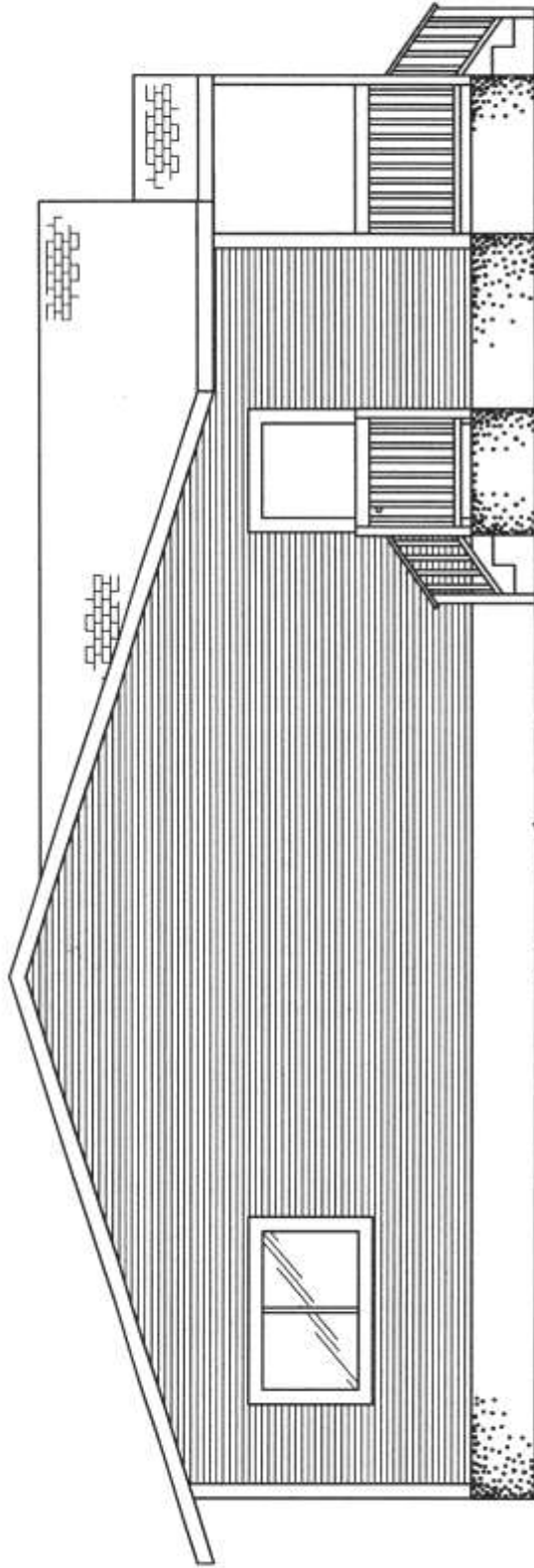
\*Approved\*

City of Portland - Bureau of Development Services

Planner MLW Date 6/30/14

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

LU 14-146442 AD Exhibit C-2



New house  
WESTERN ELEVATION

\*Approved\*  
City of Portland - Bureau of Development Services  
Planner MLW Date 6/30/14  
This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

Ingrid McTaggart  
House Move  
Scale: 1/4" = 1'

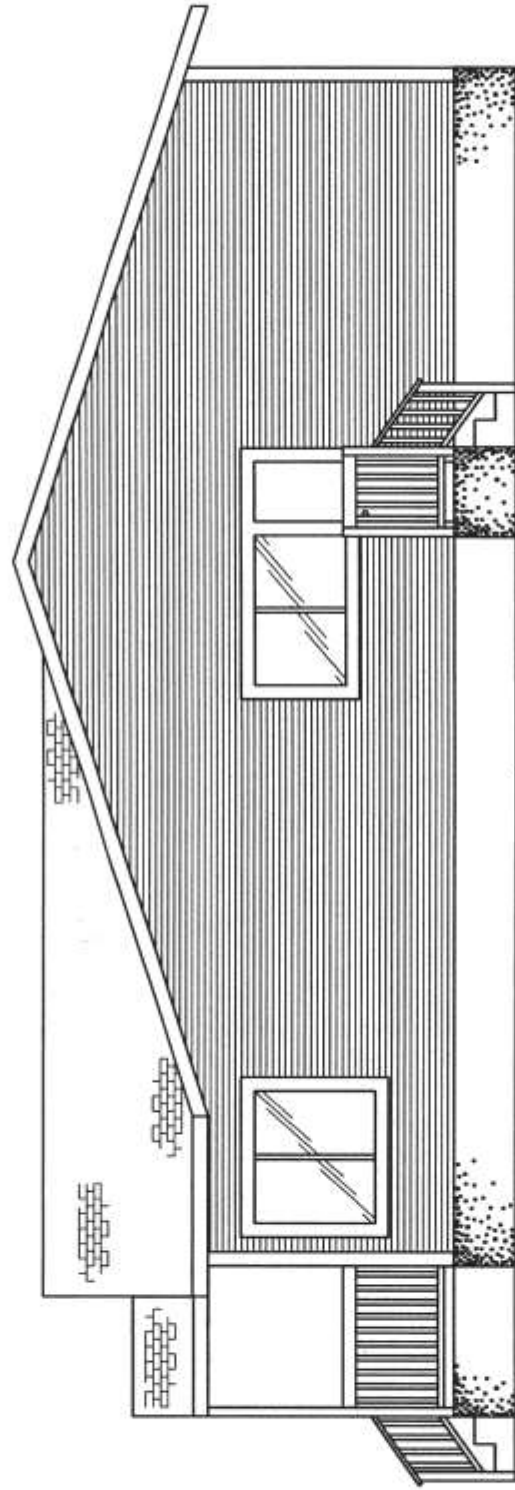
LU 14-146442 AD Exhibit C-4

\*Approved\*

City of Portland - Bureau of Development Services

Planner: MLW Date: 6/30/14

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



New house  
EASTERN ELEVATION

Side elevation to meet street-facing facade standard requiring a minimum of 15% windows at time of building permit

Ingrid McTaggart  
House Move  
Scale: 1/4" = 1'