



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: September 28, 2016
To: Interested Person
From: Lauren Russell, Land Use Services
503-823-7817 / Lauren.Russell@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 October 19, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-222864 AD, in your letter. It also is helpful to address your letter to me, Lauren Russell. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-222864 AD

Owner/Applicant: Erin J Leichty
3720 SW Vacuna St
Portland, OR 97219

Site Address: 3720 SW VACUNA ST

Legal Description: LOT 1, PARTITION PLAT 2001-17
Tax Account No.: R649810650
State ID No.: 1S1E32BD 04701
Quarter Section: 4125
Neighborhood: West Portland Park, contact Vick Johnson at cvmjohns@comcast.net.
Business District: None
District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.
Plan District: None
Other Designations: None
Zoning: R7c – Single-Dwelling Residential 7,000, Environmental Conservation overlay zone

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

Proposal:

The applicant proposes to convert an existing tool shed located at the front lot line into a 270 square foot detached accessory dwelling unit (ADU). There are no proposed changes to the north façade of the shed as viewed from SE Vacuna Street. The only change to the east façade of the shed as viewed from SW 37th Avenue is the addition of a window. In the Environmental Conservation overlay zone, the front setback can be reduced to any distance between the base

zone minimum and zero (Zoning Code Section 33.430.140.N); however, per Zoning Code Section 33.205.040.4, detached ADUs must be set back 40 feet from the front lot line or be located behind the rear wall of the house, attached house, or manufactured home. Because the ADU is proposed to be located within the existing shed located at the front lot line, the applicant requests an Adjustment to reduce the ADU front lot line setback from 40 feet to 0 feet.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33.805.040.

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; **(not applicable)** and
- D. City-designated scenic resources and historic resources are preserved; **(not applicable)** 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 August 12, 2016 and determined to be complete on September 23, 2016.

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.

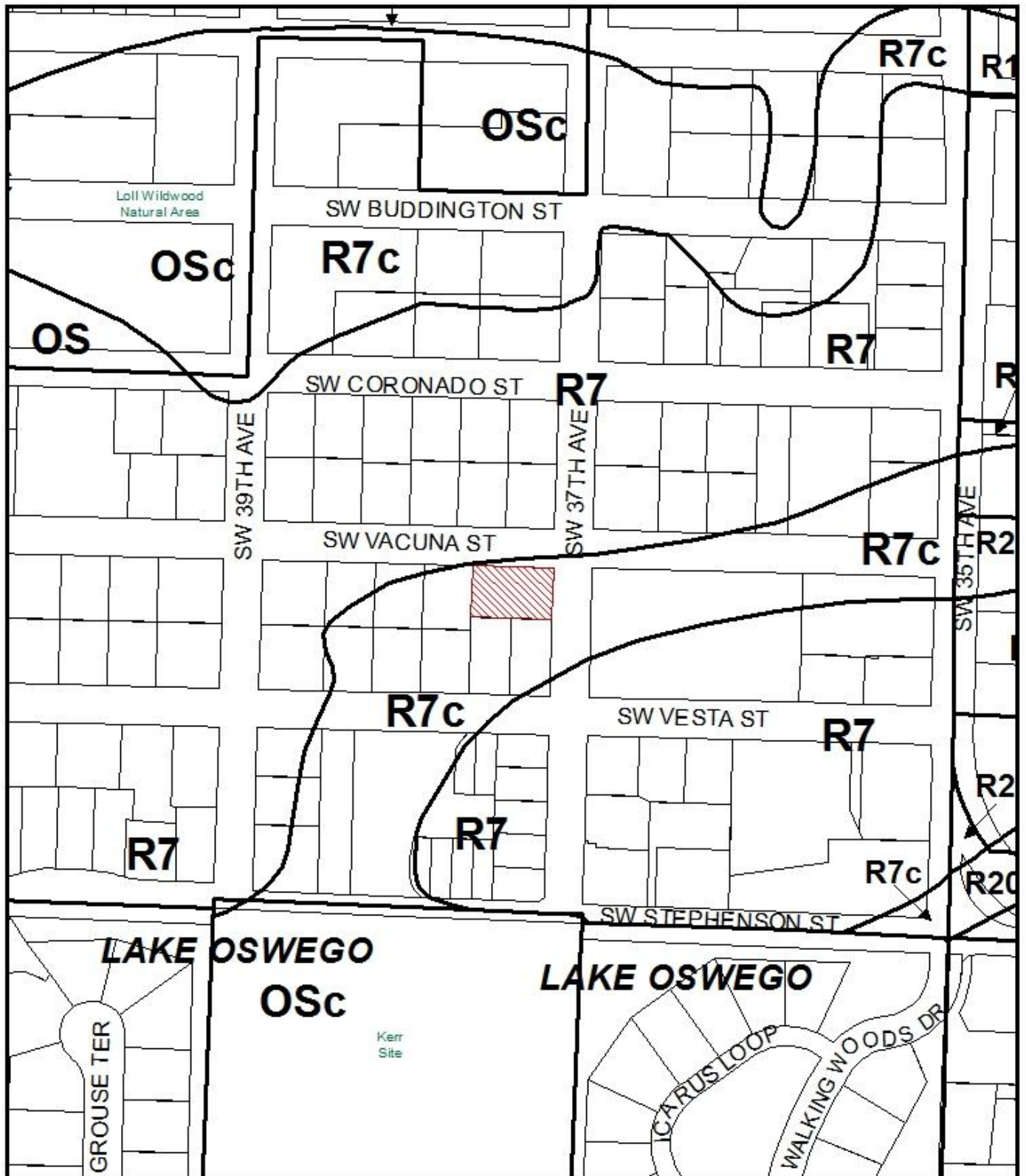
APPEAL OF THE FINAL CITY DECISION

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
North Elevation
East Elevation



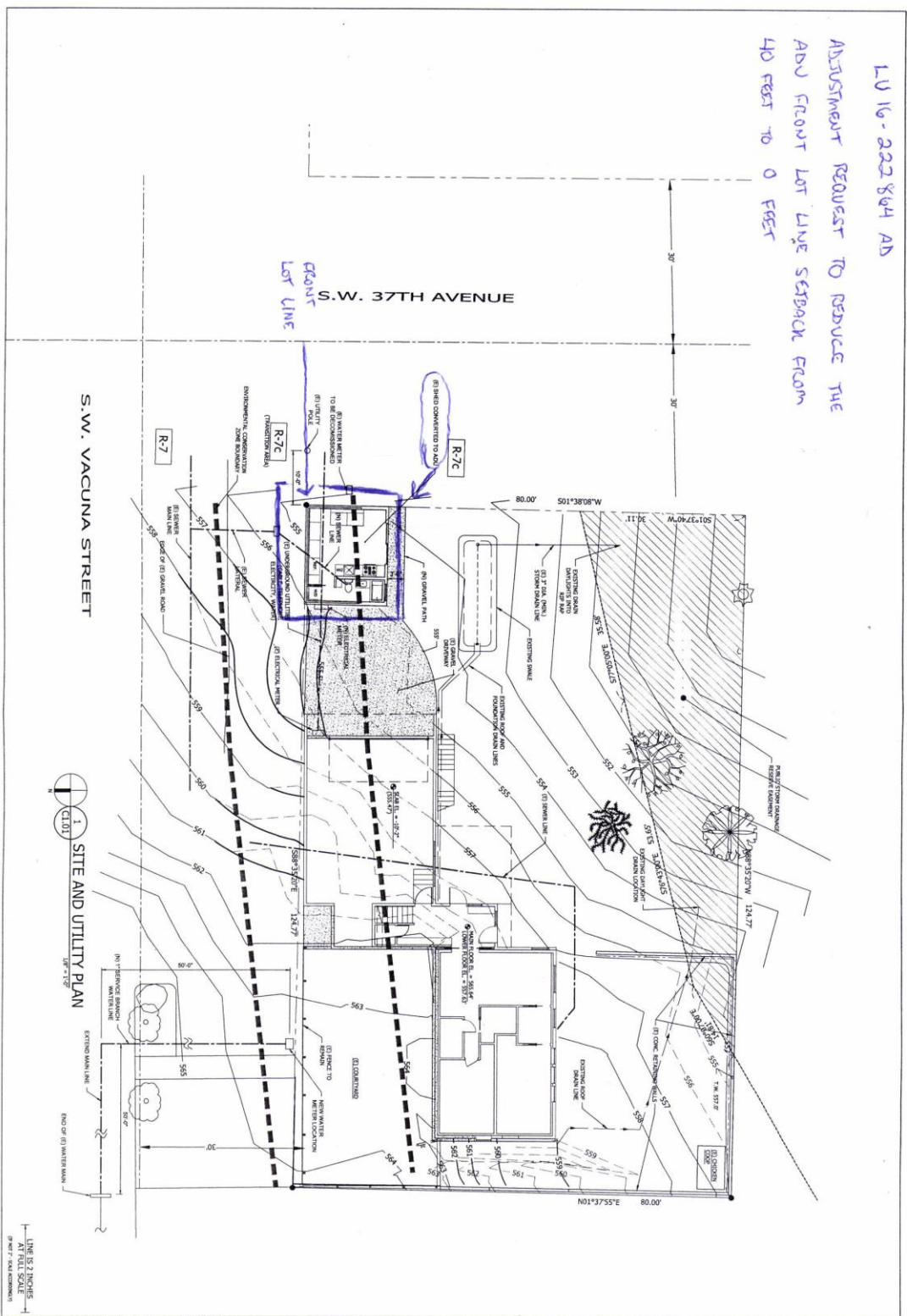
ZONING

 Site



File No. LU 16-222864 AD
 1/4 Section 4125
 Scale 1 inch = 200 feet
 State_Id 1S1E32BD 4701
 Exhibit B (Aug 17, 2016)

LU 16-22284 AD
 ADJUSTMENT REQUEST TO REDUCE THE
 ADV FRONT LOT LINE SETBACK FROM
 40 FEET TO 0 FEET



1 SITE AND UTILITY PLAN
 1/16/19

LINE 1/2 INCHES
 AT FULL SCALE
 (SEE NOTE 1)

REV	DATE	DESCRIPTION

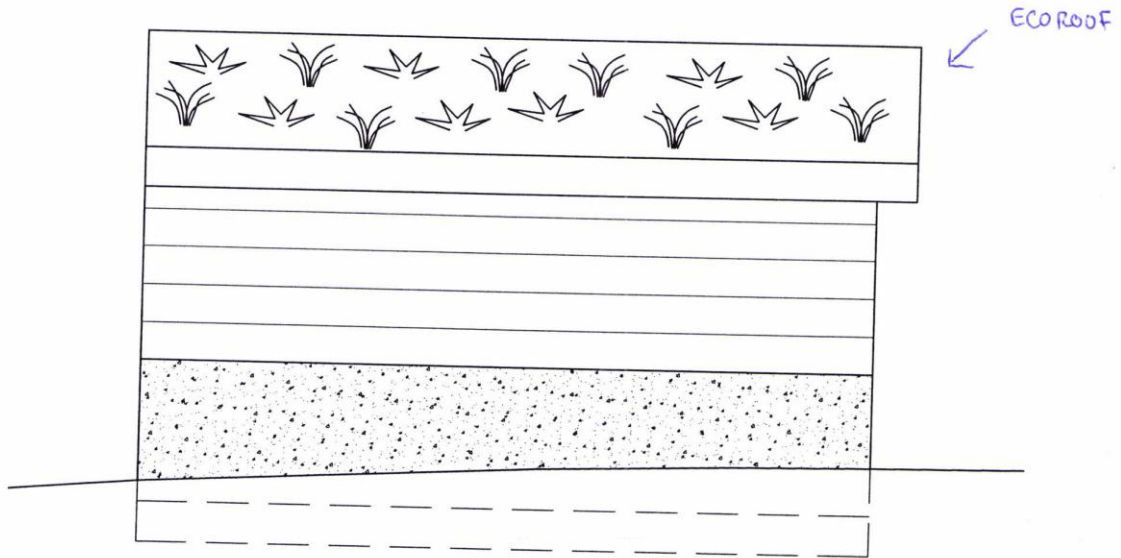
Leichy ADU

3720 SW Vacuna St.
 Portland, OR 97219

OWNER: [REDACTED]
 CHECKED BY: [REDACTED]
 PROJECT NO: [REDACTED]
 ISSUE DATE: 07.24.19

SHEET INDEX
C1.01

LU 16-222864 AD

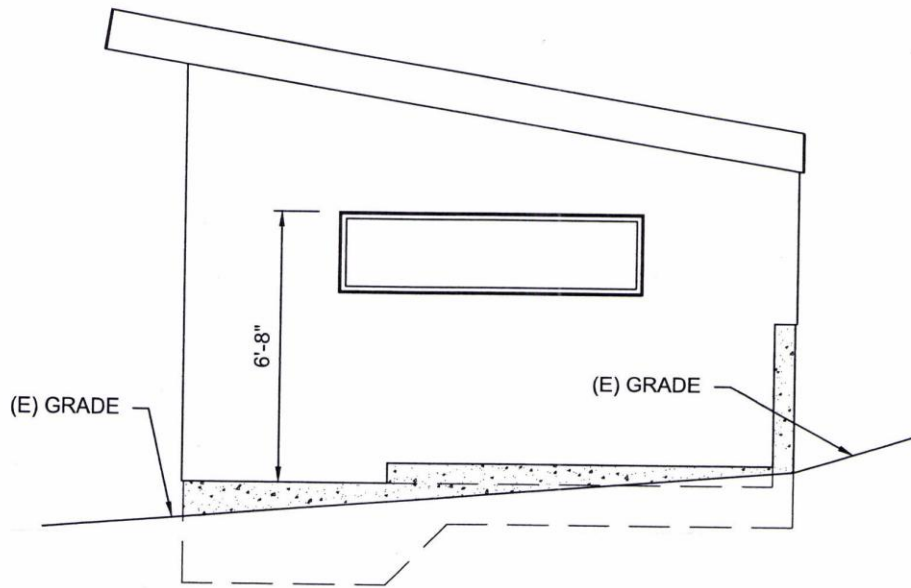


8
A1.02

NORTH ELEVATION

VIEW FROM SW VACUNA ST 1/4" = 1'-0"

LU 16-222864 AD



7
A1.02

EAST ELEVATION

1/4" = 1'-0"

VIEW FROM SW 37 TH AVE