



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** October 3, 2016  
**To:** Interested Person  
**From:** Ethan Brown, Land Use Services  
503-823-7920 / [Ethan.Brown@portlandoregon.gov](mailto:Ethan.Brown@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 24, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-236483 GW, in your letter. It also is helpful to address your letter to me, Ethan Brown. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 16-236483 GW**

**Applicant/Owner:** Austin Doran  
McCulloch Construction Corp.  
1729 NE Siskiyou St  
Portland, OR 97212  
Phone: 503-437-0993

**Site Address:** [1311 SE YUKON ST](#)

**Legal Description:** BLOCK 11 LOT 6-8, P J MARTINS TR  
**Tax Account No.:** R635400740  
**State ID No.:** 1S1E14CA 02500  
**Quarter Section:** 3631

**Neighborhood:** Sellwood-Moreland, contact David Schoellhamer at  
[d.dchoellhamer@comcast.net](mailto:d.dchoellhamer@comcast.net)

**Business District:** Sellwood-Westmoreland, contact Tom Brown at 503-381-6543.  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Plan District:** None  
**Other Designations:** Potential Landslide Hazard Area

**Zoning:** *Base Zone:* Residential 5,000 (R5)  
*Overlay Zones:* Alternative Design Density (a), Greenway River Natural (n)

**Case Type:** GW – Greeway Review  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:**

The applicant proposes to construct a new deck on the west side of an existing single family residence. The proposed deck will be supported with hand drilled helical piers. The proposed deck will be approximately 26 feet long and extend 11 feet west from the wall of the residence. Potential erosion from the construction of the deck will be contained by the use of fiber erosion control rolls downhill from the deck construction, as shown on the attached site plan. Additionally, on-site trees will be protected by temporary tree protection fencing, as shown on the attached site plan.

Because the proposed deck is entirely within the River Natural Greenway overlay zone and is not exempt (33.440.320 Exemptions from Greenway Review), a Type II Greenway Review is required to approve the proposed deck.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- **33.440.350, Greenway Review Approval Criteria; and**
- ***Willamette Greenway Design Guidelines***

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 September 2, 2016 and determined to be complete on September 26, 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](http://www.portlandonline.com).

**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. 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.

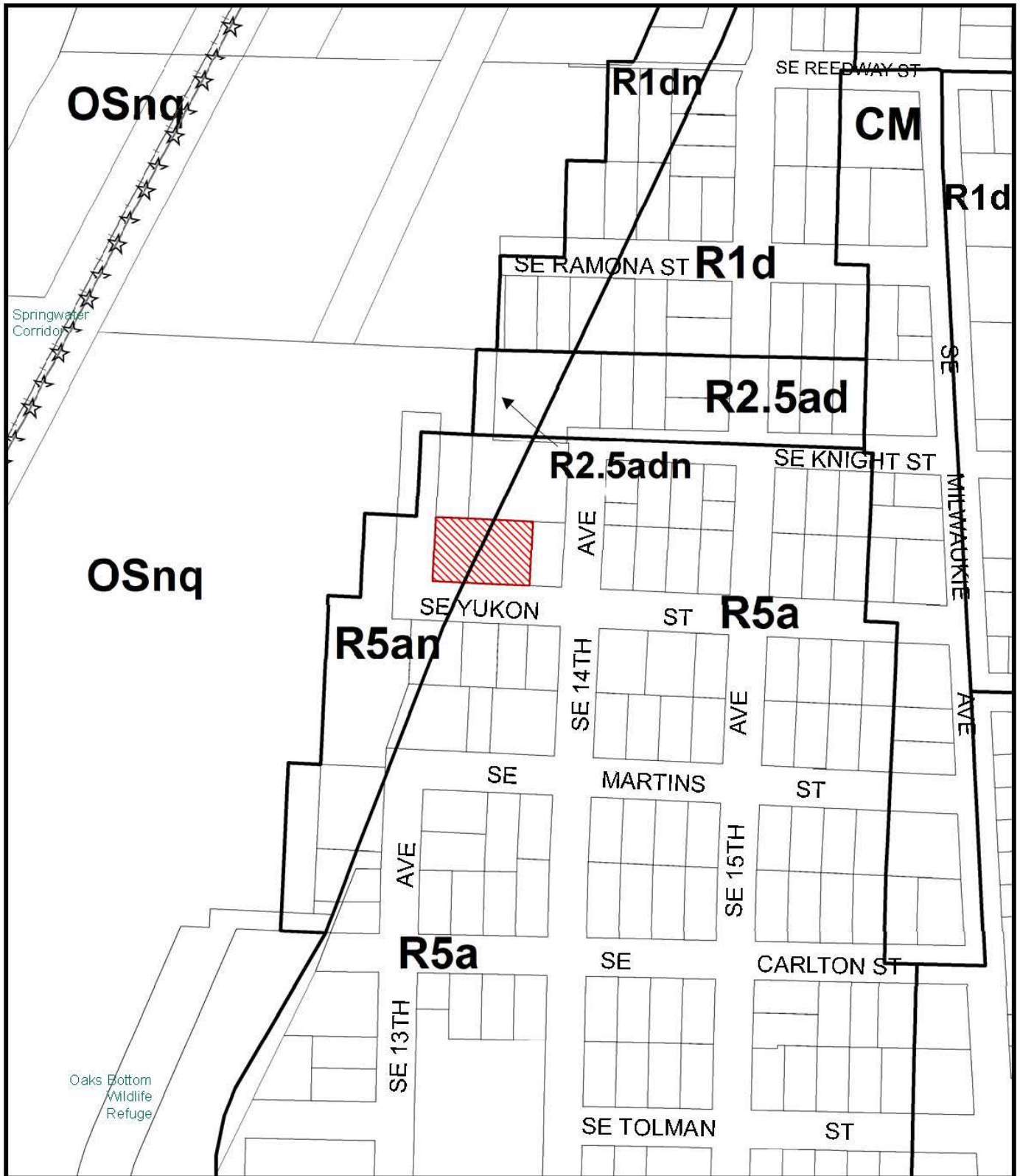
**APPEAL OF THE FINAL CITY DECISION**

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



# ZONING

-  Site
-  Recreational Trails



File No. LU 16-236483 GW

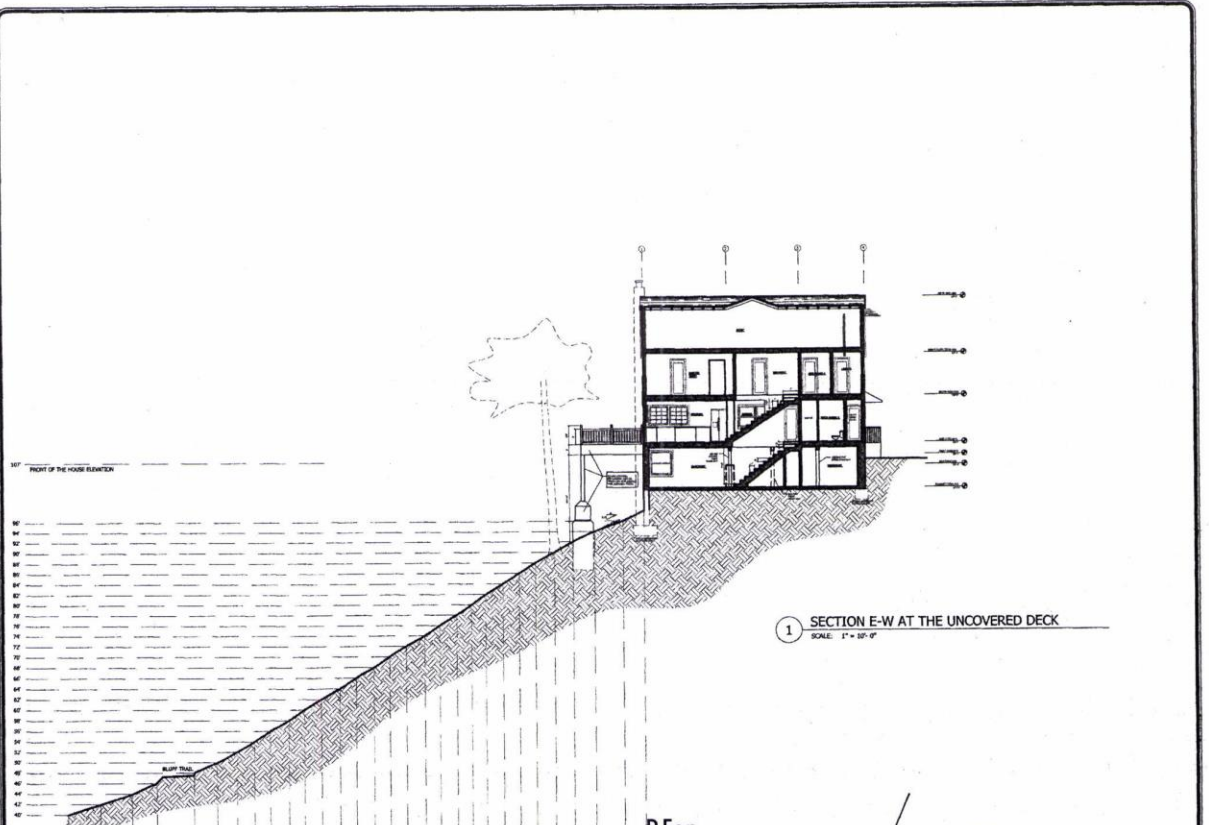
1/4 Section 3631

Scale 1 inch = 200 feet

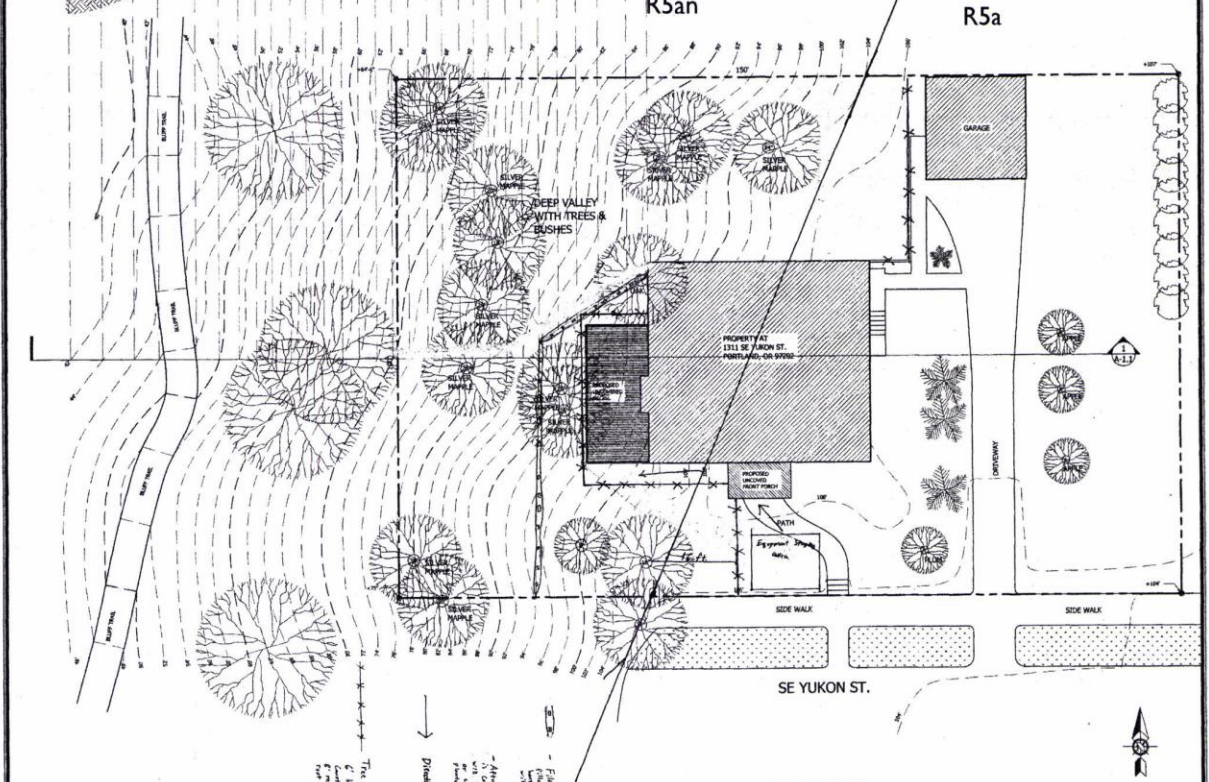
State\_Id 1S1E14CA 2500

Exhibit B (Sep 07, 2016)





1 SECTION E-W AT THE UNCOVERED DECK  
SCALE: 1" = 10'-0"



2 SITE PLAN  
SCALE: 1" = 10'-0"

- After completion of deck  
 with 2nd floor, site can  
 be used for landscaping  
 and other site work.  
 - Existing water lines  
 with 2nd floor, site can  
 be used for landscaping  
 and other site work.  
 - Division of front & back lots  
 - The existing layout  
 of high water table has  
 been removed as well as  
 the front portion of the  
 lot.