



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

FROM CONCEPT TO CONSTRUCTION

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

Date: October 19, 2016
To: Interested Person
From: David Besley, Land Use Services
503-823-7282 / David.Besley@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 November 9, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-242862 AD, in your letter. It also is helpful to address your letter to me, David Besley. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-242862 AD

Applicant: Alek Hoffman Phone: 503-223-5109
Green Gables Design and Restoration
1807 NW Vaughn St
Portland, OR 97209

Owners: Christopher Jones and Angela Cook-Jones
2525 SW Montgomery Dr
Portland, OR 97201-1751

Site Address: 2525 SW MONTGOMERY DR

Legal Description: BLOCK B LOT 1 TL 4200, SMITHS ADD TO P
Tax Account No.: R775800200
State ID No.: 1S1E05DD 04200
Quarter Section: 3226

Neighborhood: Southwest Hills Residential League, contact Nancy Seton at 503-224-3840

District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592

Zoning: R10 (Residential 10,000)

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

Proposal:

The applicant is proposing to construct a 400 square foot addition to an existing 3-story 3,792 square foot house. The existing house is on a steep downhill slope away from the street with an average grade of about 35 percent. While the height limit in this zone is 30 feet, on lots that slope downhill from the street with an average slope of 20 percent or greater, the Portland Zoning Code allows the height limit to be the higher of either 23 feet above the average grade of the street, or the normal height limit (Section 33.110.215.D Alternative height limits for steeply sloping lots). In this case, the height limit is 23 feet above the average grade of the street. The average grade of the street is 635'-6" and the height limit is 658'-6". The existing house has a height of 664' and the addition is proposed to have a height of about 671'-9"; therefore, an Adjustment is required to increase the maximum allowed height from 658'-6" to approximately 671'-9" for a 400 square foot addition.

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

- 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 (*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 September 14, 2016 and determined to be complete on October 13, 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.

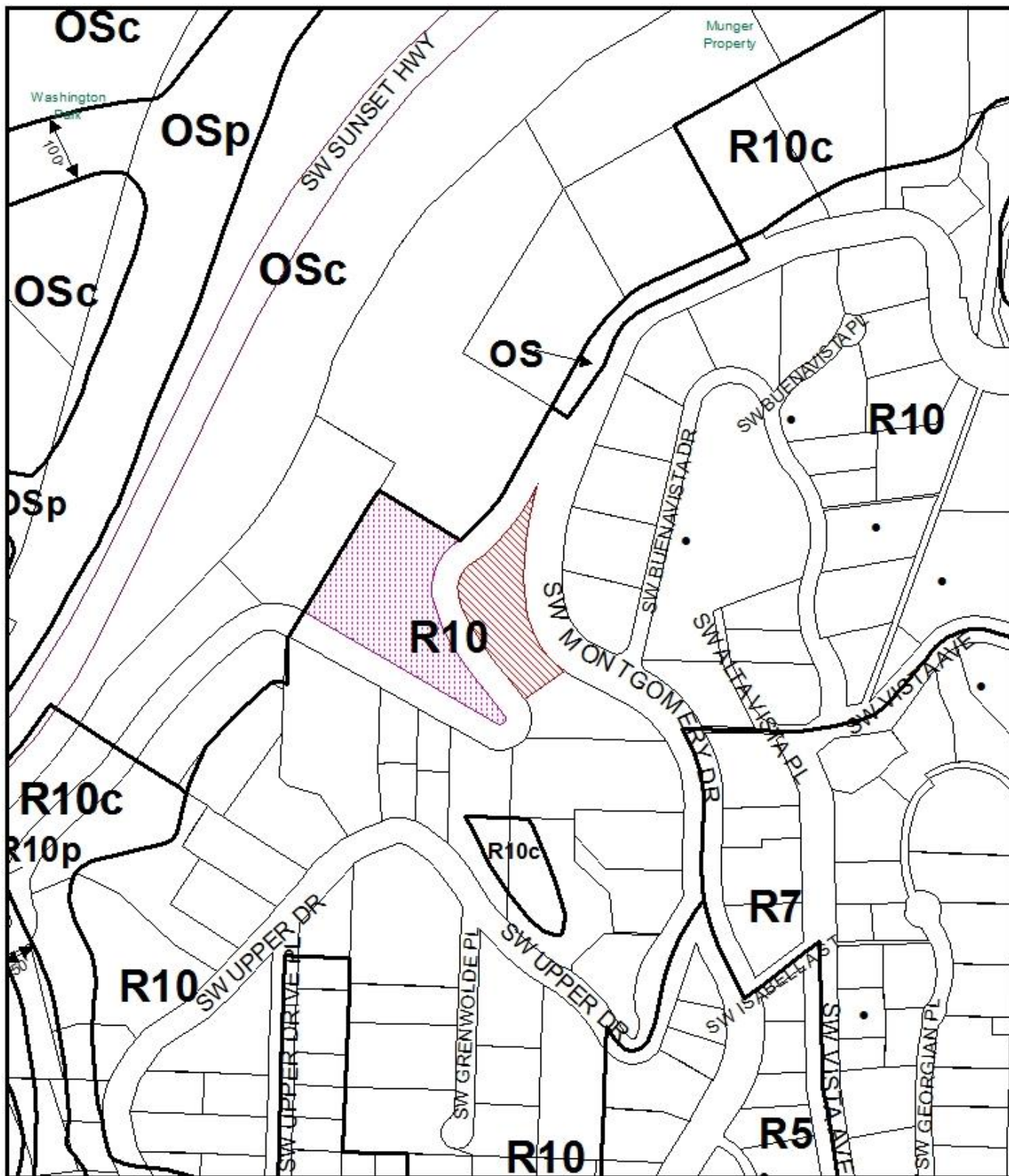
APPEAL OF THE FINAL CITY DECISION

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
South Elevation Drawing
East and North Elevation Drawings



ZONING

- Site
- Also Owned Parcels
- Historic Landmark



File No.	<u>LU 16-242862 AD</u>
1/4 Section	<u>3226</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E05DD 4200</u>
Exhibit	<u>B</u> (Sep 19, 2016)

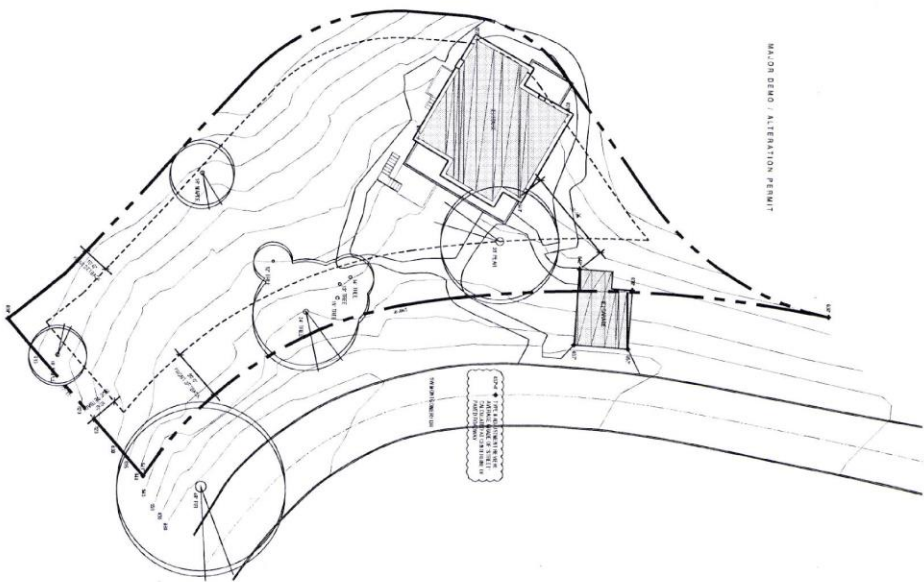


21000 1/8" = 1'-0"
DATE: 02/09/14
PROJECT: [illegible]

CHRISTOPHER JONES & ANGELA COOK-JONES
REGISTERED PROFESSIONAL ENGINEERS
STATE OF TEXAS, LICENSE NO. 11417-001
11000 1/8" = 1'-0"

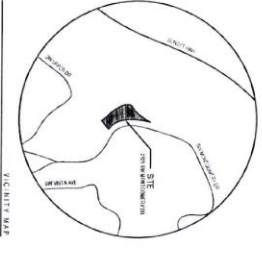
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SYMBOL LEGEND

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SITE PLAN
11000 1/8" = 1'-0"

LW 16-242862 AD



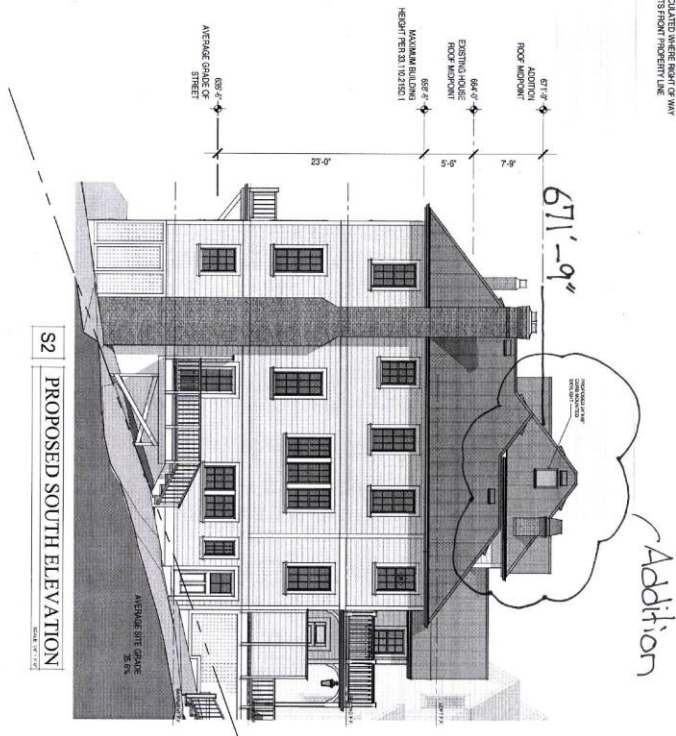
Adjustment requested to increase the maximum allowed height from 658'-6" to approx. 671'-9" for a 400 sqft. addition.

ZONING CODE:

33.110.215
 D. Alternative height limits for steeply sloping lots

1. Overall height from finished, finished floor level to the highest point of the roof structure shall not exceed the maximum height of the lot. The height shall be the height of either 23 feet or the maximum height of the lot, whichever is greater.

AVERAGE GRADE OF "STREET"
 CALCULATED WHERE RIGHT OF WAY MEETS FRONT PROPERTY LINE



S2 PROPOSED SOUTH ELEVATION

TYPE II ADJUSTMENT REVIEW 1



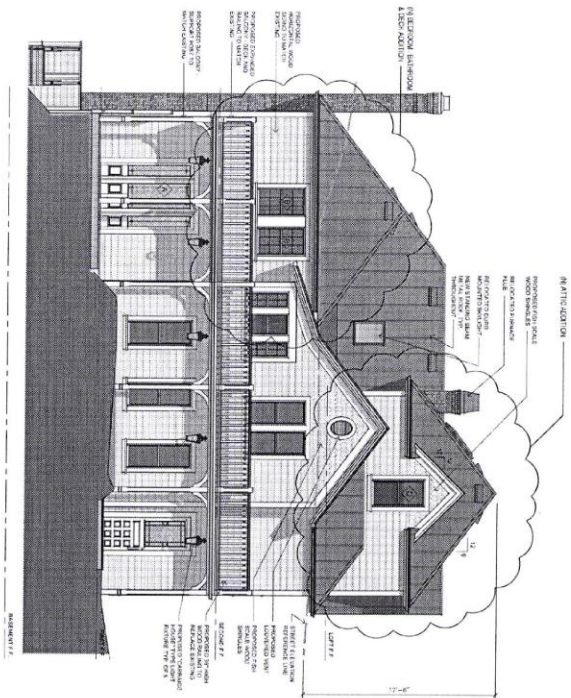
CHRISTOPHER JONES & ANGELA COOK-JONES
 ADDITION AND REPAIRS

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 PROJECT NUMBER: 2025 05 20 10:25 AM

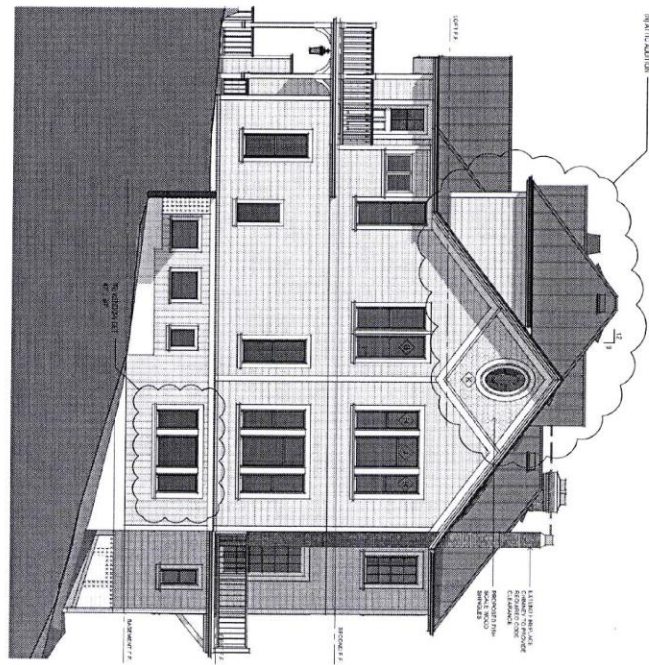
PROJECT: 2025 05 20 10:25 AM
 DATE: 2025 05 20 10:25 AM
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 CHECKED BY: 2025 05 20 10:25 AM

A3.3

FIRE SAFETY NOTES:
 (N) NON-COMBUSTIBLE STANDING SEAM METAL ROOF
 (N) OFF-SITE FIRE / SMOKE / BURGLAR DETECTION SYSTEM



EAST ELEVATION 2
 1/4" = 1'-0"



NORTH ELEVATION 2
 1/4" = 1'-0"

CHRISTOPHER JONES & ANGELA COOK-JONES



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 FRENCH CREEK, WA 98043
 (360) 373-3333
 www.greenarchitect.com



DATE: 11/11/11
 DRAWN BY: JACOB
 CHECKED BY: JACOB
 REVISION: 1/11/11

LV 16-242862 AD