



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: March 10, 2017
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 March 31, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-116687 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 17-116687 AD

Applicant: Kevin L Mickelsen Phone: 503.236.8098
2817 SE Waverleigh Blvd
Portland, OR 97202

Site Address: 2817 SE WAVERLEIGH BLVD

Legal Description: BLOCK 8 LOT 3, WAVERLEIGH HTS
Tax Account No.: R885300960
State ID No.: 1S1E12BC 07600
Quarter Section: 3333

Neighborhood: Hosford-Abernethy, contact chair@handpdx.org
Business District: Greater Brooklyn, contact David Weislogel at 503-872-9320
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010

Zoning: R2.5 (Single Dwelling Residential 2,500)

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

Proposal:

The applicants are proposing to create a parking space in front of the house in order to access an electric charger for their all-electric vehicle. The Portland Zoning Code states that parking spaces are not allowed within the first 10 feet of a front lot line (Section 33.266.120.C.1.a), that a parking space must be at least 9 feet by 18 feet (Section 33.266.120.D.1), and that the minimum driveway width on private property is 9 feet (Section 33.266.120.D.2). The driveway

is proposed to have 8 feet in width (two parallel strips of concrete 30 inches wide with a 36 inch space between), the parking space is proposed to be 8 feet wide and a range of 16 feet to 18 feet long, and 10 feet of the parking space is proposed to be in the 10-foot front setback; therefore three Adjustments are required:

1. to reduce the minimum parking space size from 9 feet by 18 feet to 8 feet by a range of 16 feet to 18 feet in length;
2. to reduce the minimum driveway width from 9 feet to 8 feet; and
3. to waive the requirement that parking spaces not allowed within the first 10 feet of a front lot line.

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; 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 February 6, 2017 and determined to be complete on March 7, 2017.

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.

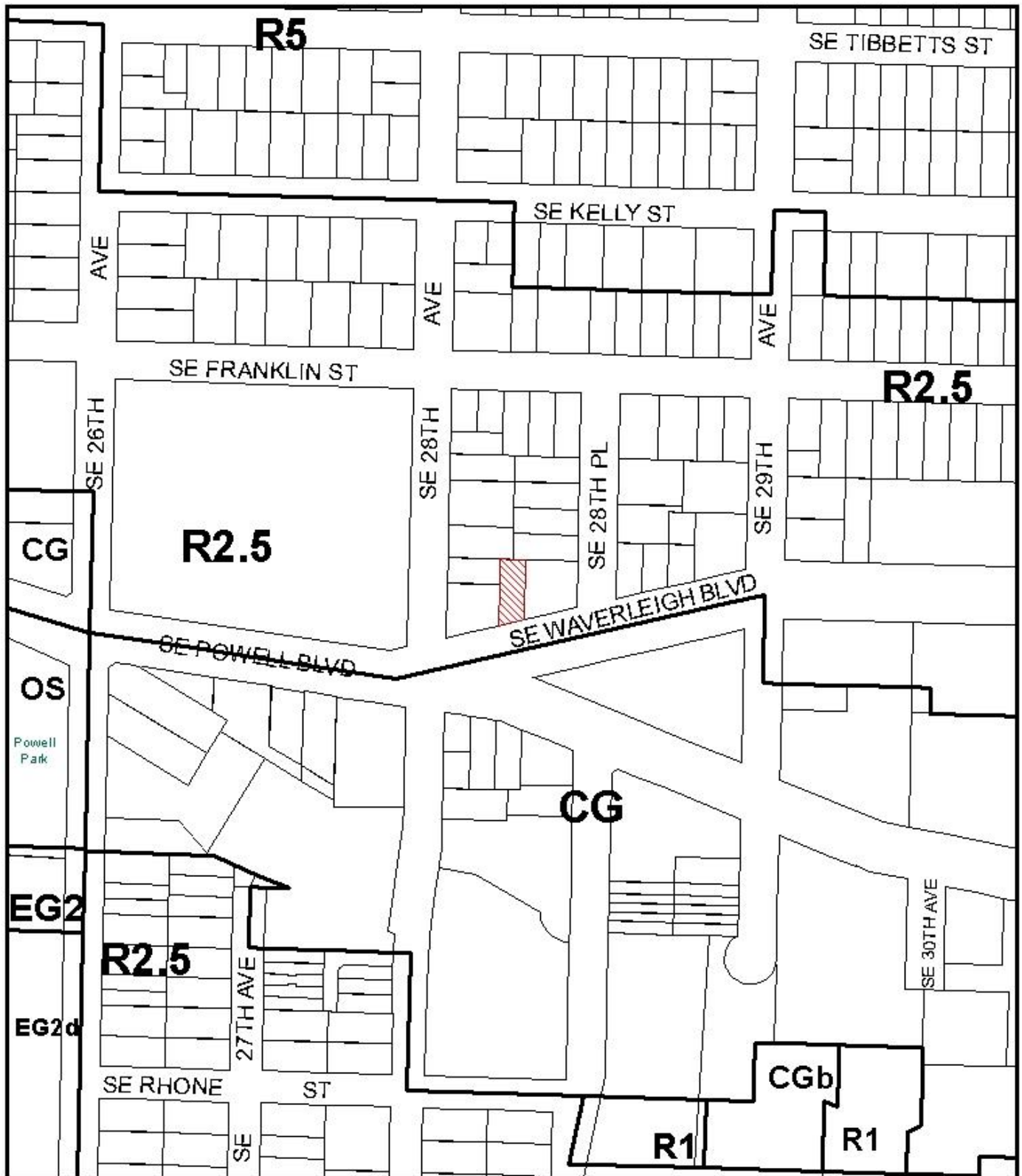
APPEAL OF THE FINAL CITY DECISION

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

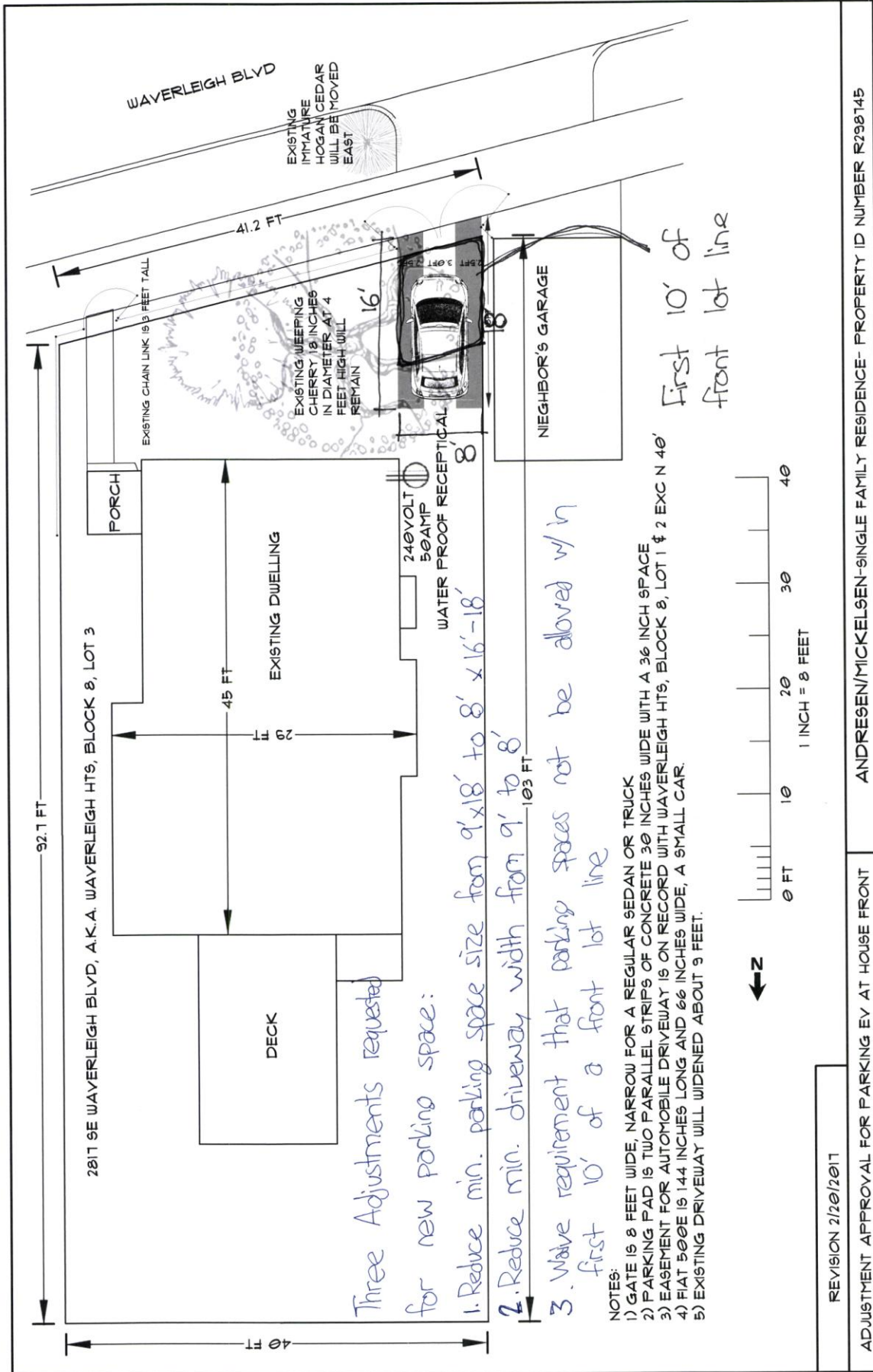


ZONING

 Site



File No. LU 17-116687 AD
 1/4 Section 3333
 Scale 1 inch = 200 feet
 State_Id 1S1E12BC 7600
 Exhibit B (Feb 09, 2017)

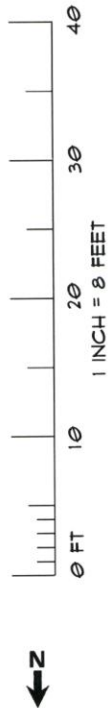


Three Adjustments requested for new parking space:

1. Reduce min. parking space size from 9'x18' to 8' x 16'-18'
2. Reduce min. driveway width from 9' to 8'
3. Waive requirement that parking spaces not be dloved w/h first 10' of a front lot line

NOTES:
 1) GATE IS 8 FEET WIDE, NARROW FOR A REGULAR SEDAN OR TRUCK
 2) PARKING PAD IS TWO PARALLEL STRIPS OF CONCRETE 30 INCHES WIDE WITH A 3/8 INCH SPACE
 3) EASEMENT FOR AUTOMOBILE DRIVEWAY IS ON RECORD WITH WAVERLEIGH HTS, BLOCK 8, LOT 1 & 2 EXC N 40'
 4) FIAT 500E IS 144 INCHES LONG AND 66 INCHES WIDE, A SMALL CAR.
 5) EXISTING DRIVEWAY WILL WIDENED ABOUT 9 FEET.

First 10' of front lot line



REVISION 2/20/2017

ADJUSTMENT APPROVAL FOR PARKING BY AT HOUSE FRONT

ANDRESEN/MICKELSEN-SINGLE FAMILY RESIDENCE- PROPERTY ID NUMBER R298745