



**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:** March 14, 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 April 4, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-121137 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 17-121137 AD**

**Applicant:** Danielle Wilsey  
Po Box 6777  
Portland, OR 97228

Jacek Brown,  
P.O. Box 6777  
Portland, OR 97228

**Site Address:** 1610 SW VISTA AVE

**Legal Description:** LOT 5-7, VISTA HTS  
**Tax Account No.:** R868500130  
**State ID No.:** 1S1E04BA 12000  
**Quarter Section:** 3127

**Neighborhood:** Goose Hollow, contact [planning@goosehollow.org](mailto:planning@goosehollow.org). Southwest Hills Residential League, contact Nancy Seton at 503-224-3840

**Business District:** Goose Hollow Business Association, contact Angela Crawford at 503-223-6376. Stadium Business District, contact Tina Wyszynski at [Tina.wyszynski@gmail.com](mailto:Tina.wyszynski@gmail.com)

**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212. Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592

**Zoning:** R7 (Single Dwelling Residential 7,000)

**Case Type:** AD (Adjustment Review: 2 concurrent Adjustments)

**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

**Proposal:**

The applicant is proposing to build a new approximately 4,500 square foot house (including garage and accessory dwelling unit), driveway, and stormwater planters on a vacant lot. The Portland Zoning Code requires that structures be set back a minimum of 15 feet from the front lot line in this zone (Section 33.110.220.B). Due to the steep slopes on site, stormwater planters are proposed along the front (west) property line and are considered structures because they exceed 2 feet – 6 inches; therefore, an Adjustment is requested to reduce the minimum front setback from 15' to a range of 0' to 8' for storm water planters. The Portland Zoning Code also limits maximum building coverage for a property of this size to 3,530 square feet (Section 33.110.225, Table 110-4). Building coverage includes all covered structures, excluding eaves, plus any driveways or decks that are over 6 feet above grade. This also includes the stormwater planter between the garage and the street. The total proposed building coverage is approximately 4,290 square feet. A second Adjustment is therefore requested to increase the maximum building coverage from 3,530 square feet to approximately 4,290 square feet.

**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 14, 2017 and determined to be complete on February 28, 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](http://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.

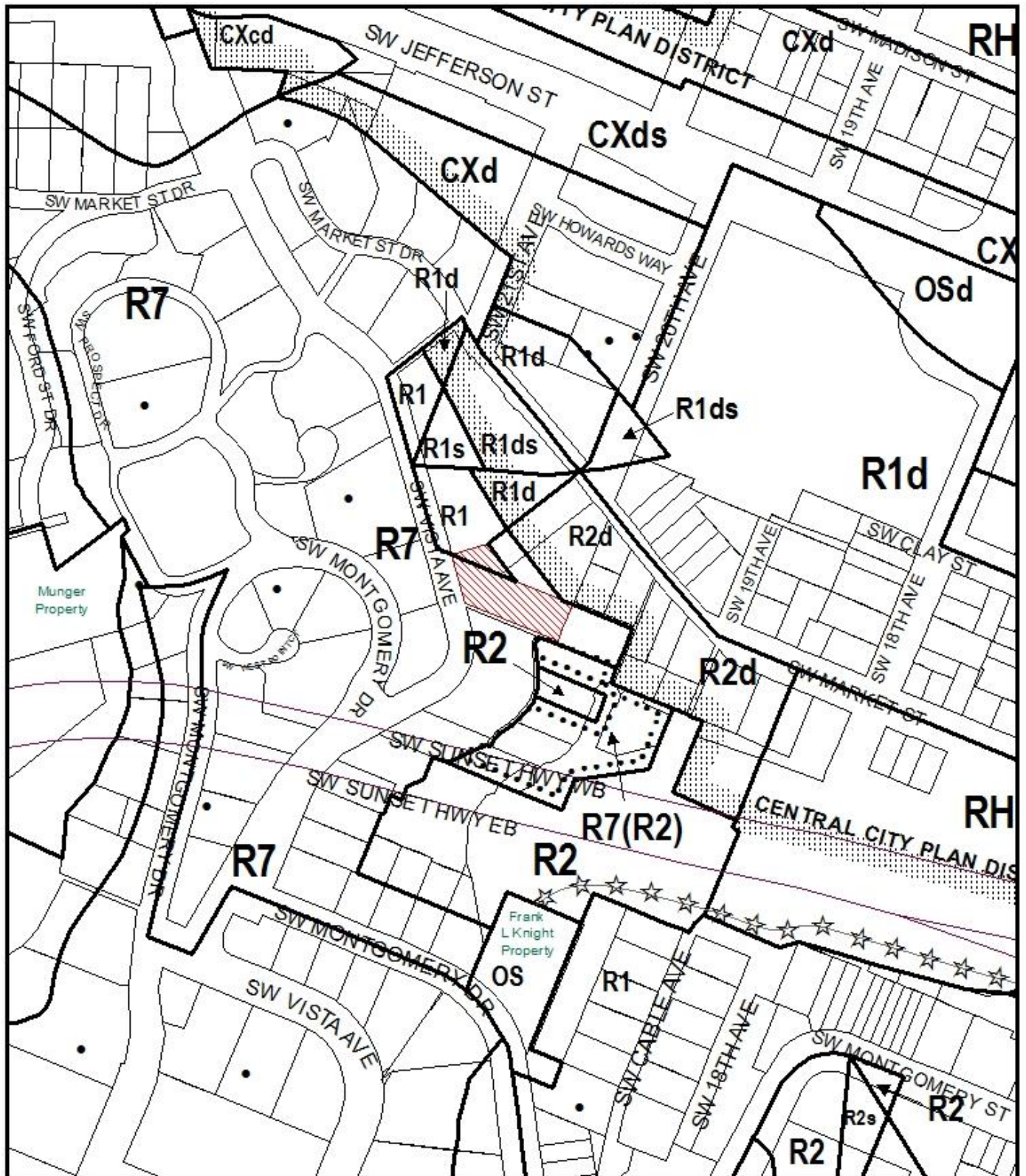
#### **APPEAL OF THE FINAL CITY DECISION**

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  
Stormwater Planter Section Drawing



# ZONING

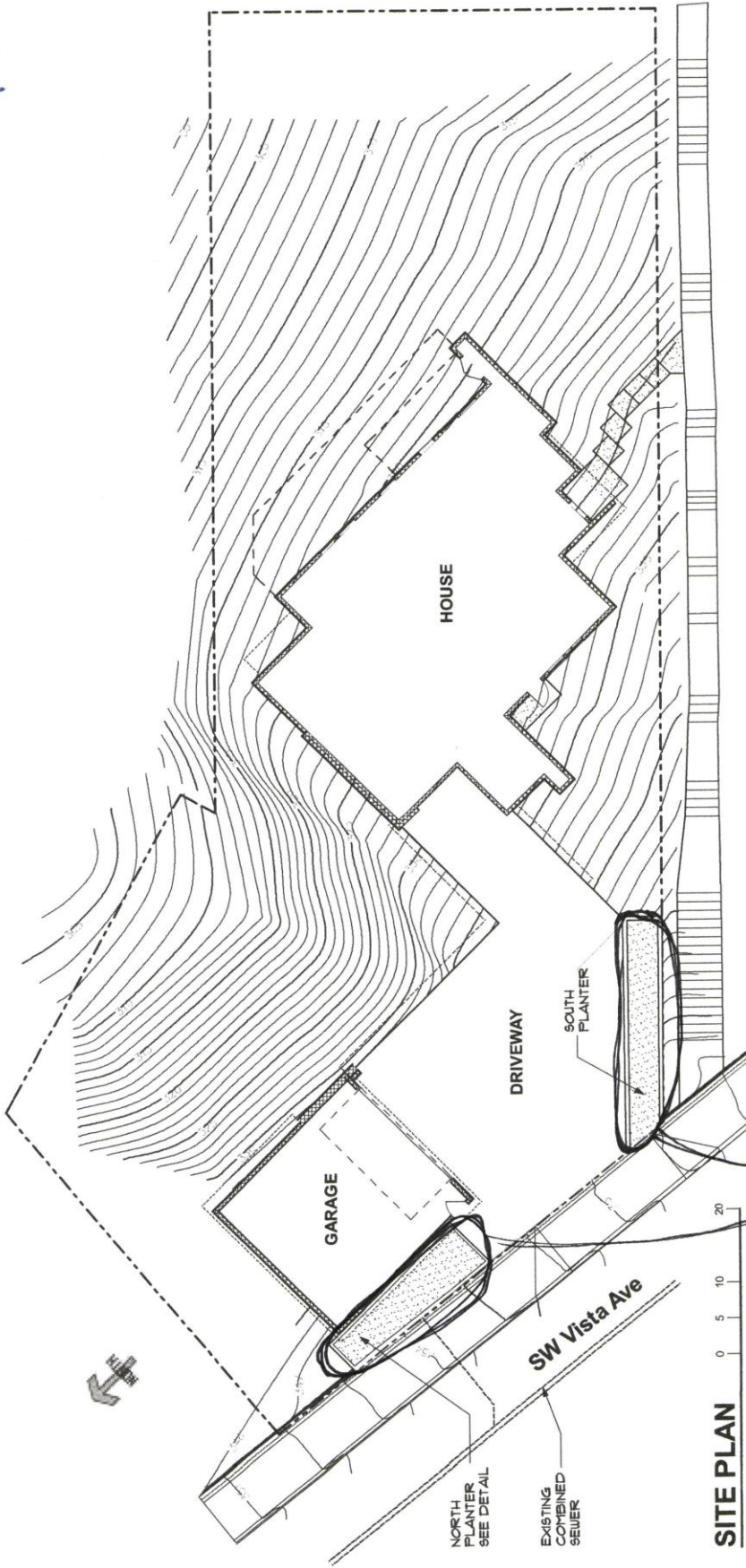


-  Site
-  Recreational Trails
-  Historic Landmark

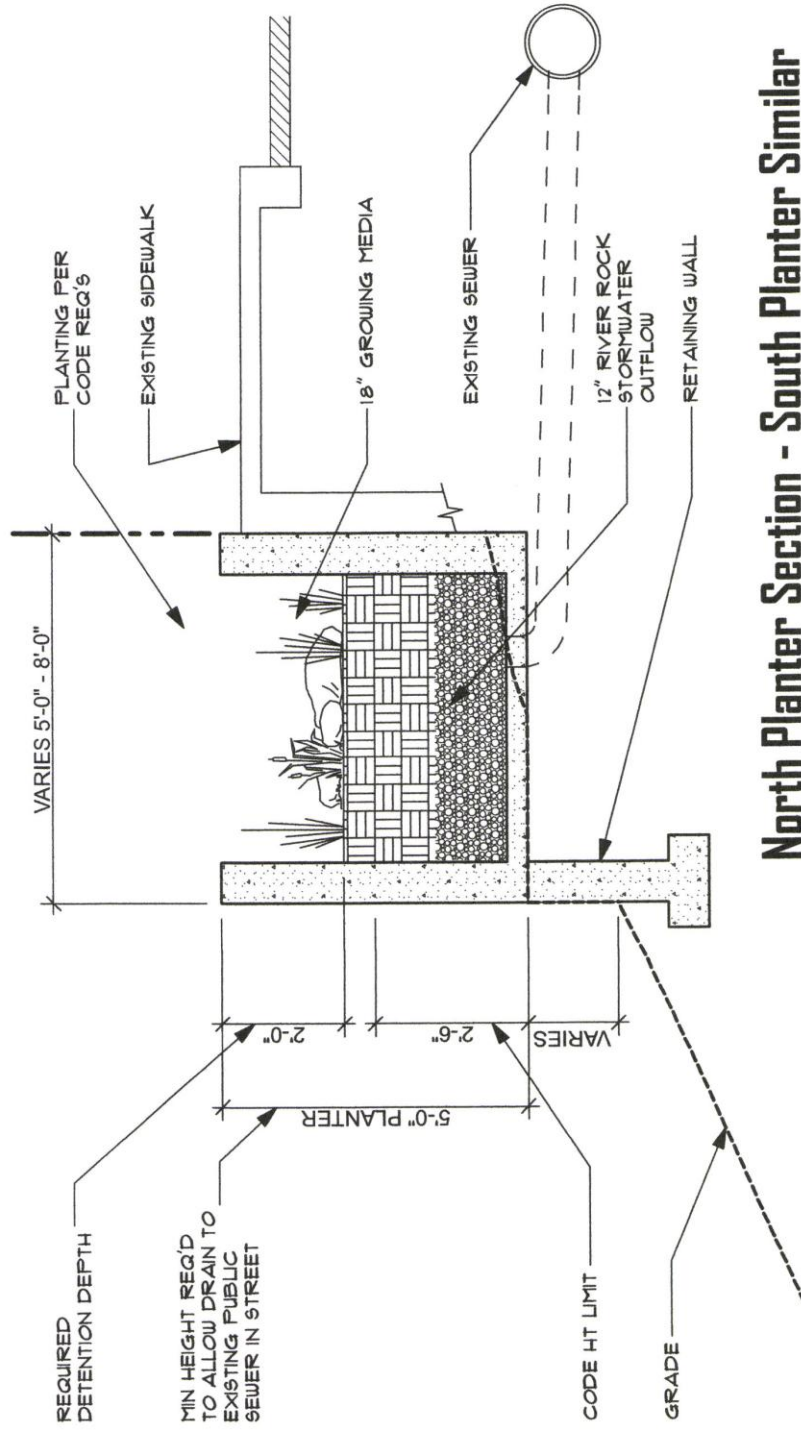
File No.	LU 17-121137 AD
1/4 Section	3127
Scale	1 inch = 200 feet
State Id	1S1E04BA 12000
Exhibit	B (Feb 16, 2017)

2 Adjustments requested for new house/garage/driveway:

1. Reduce <sup>min.</sup> front setbacks from 15' to a range of 0' to 8' for stormwater Planters
2. Increase max. building coverage from 3,530 sq.ft. to approx 4,290 sq.ft.



Stormwater planters  
in setback



**North Planter Section - South Planter Similar**