



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

Chloe Eudaly, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 17, 2017  
**To:** Interested Person  
**From:** Rodney Jennings, Land Use Services  
503-823-5088/Rodney.Jennings@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 7, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-109400 AD, in your letter. It also is helpful to address your letter to me, Rodney Jennings. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 17-109400 AD**

**Applicant:** Christopher P Long,  
1411 SE 36th Ave  
Portland, OR 97214

Jonathan P Hart,  
1411 SE 36th Ave  
Portland, OR 97214

**Representative:** Jeff Stern,  
In Situ Architecture  
811 E Burnside St #216  
Portland OR  
97214

**Site Address:** 1411 SE 36TH AVE

**Legal Description:** BLOCK 55 LOT 19, SUNNYSIDE & PLAT 2 & 3  
**Tax Account No.:** R810413050  
**State ID No.:** 1S1E01AC 11400  
**Quarter Section:** 3134

**Neighborhood:** Sunnyside, contact Neil Heller at [board@sunnysideneighborhood.com](mailto:board@sunnysideneighborhood.com)  
**Business District:** Hawthorne Blvd. Bus. Assoc., contact Greg Moon at  
[gmoon@westernseminary.edu](mailto:gmoon@westernseminary.edu)

**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Plan District:** None

**Other Designations:** None

**Zoning:** R2.5 Residential 2500

**Case Type:** AD Adjustment

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

**Proposal:**

The applicant intends to demolish the existing house and construct a new 2-story single family house with attached garage. The south wall of the new house is proposed to be 3 feet 6 inches from the south side lot line and a roof over the front porch of the new house is proposed to be 6 feet 6 inches from the front lot line. The Portland Zoning Code requires that buildings be set back a minimum of 5 feet from side lot lines and a minimum of 10 feet from front lot lines in this zone; therefore, Adjustments are required to reduce the side setback from 5 feet to 3 feet 6 inches for the south wall of the house and to reduce the front setback from 10 feet to 6 feet 6 inches for the front porch roof.

**Relevant Approval Criteria:**

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

- 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; and *(not applicable)*
- 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 January 23, 2017 and determined to be complete on March 13, 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.

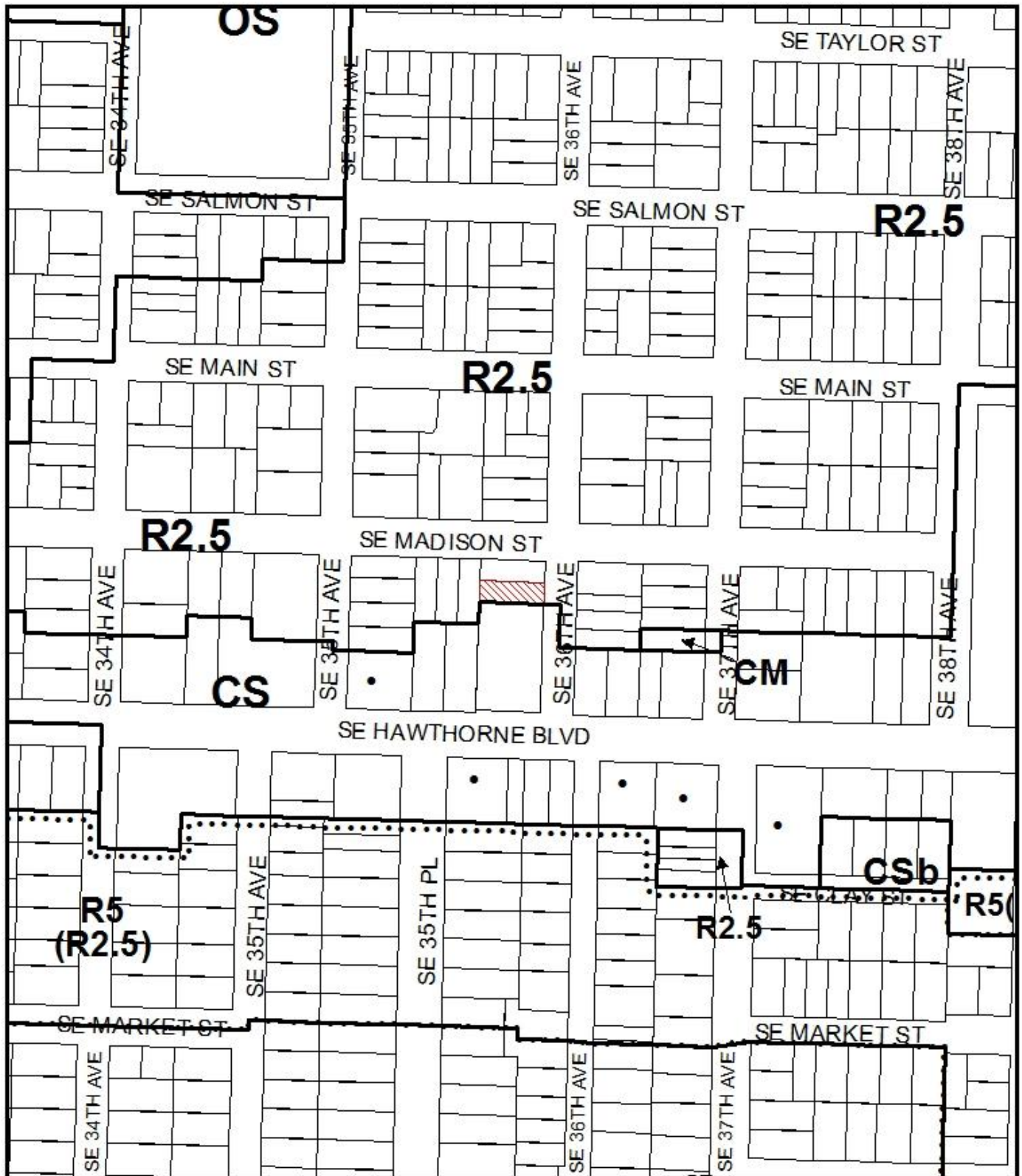
#### **APPEAL OF THE FINAL CITY DECISION**

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  
Elevations



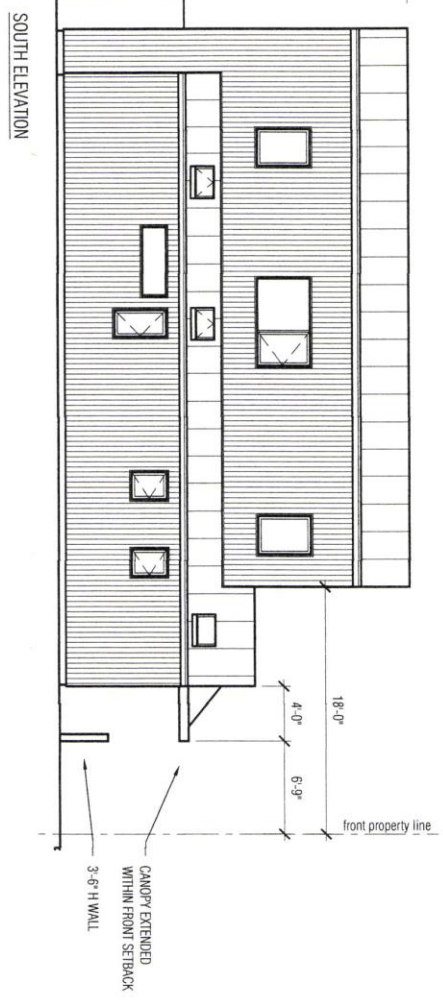
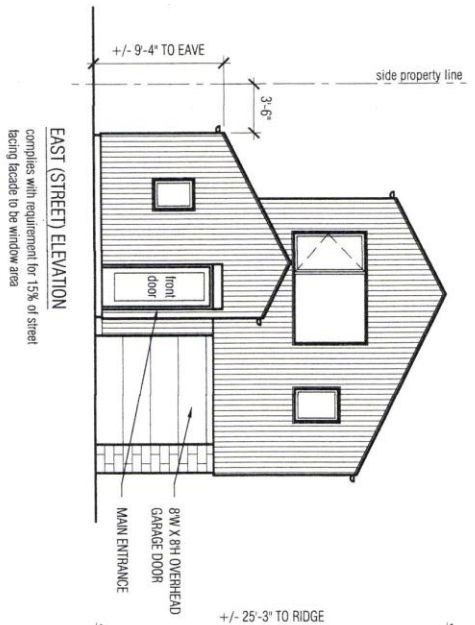
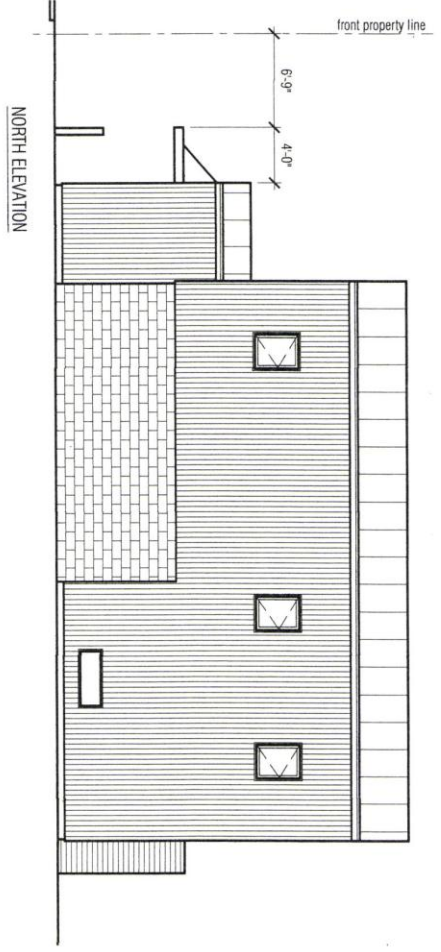
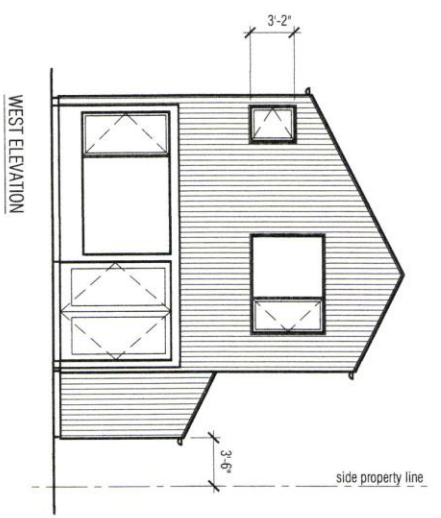
# ZONING

-  Site
-  Historic Landmark



File No.	<u>LU 17-109400 AD</u>
1/4 Section	<u>3134</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1S1E01AC 11400</u>
Exhibit	<u>B (Jan 27, 2017)</u>





EXTERIOR ELEVATIONS **A3**  
 scale 1/8" per foot (1:48)

1411 SE 36 LAND USE REVIEW / ADJUSTMENT: REVISED MAR 13, 2017

IN SITU ARCHITECTURE