



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

Chloe Eudaly, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** April 5, 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 26, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-125394 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 17-125394 AD**

**Applicants/Owners:** Ronald and Nisa Stroh  
4110 SE Hawthorne Blvd Pmb 715  
Portland, OR 97214

**Site Address:** 1623 SE 30TH AVE

**Legal Description:** BLOCK 10 S 39' OF LOT 3 N 2' OF LOT 4, BURRELL HTS  
**Tax Account No.:** R122401720  
**State ID No.:** 1S1E01CA 07900  
**Quarter Section:** 3233

**Neighborhood:** Richmond, contact Matt Otis at [matt.otis@gmail.com](mailto:matt.otis@gmail.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

**Zoning:** R5 (Single Dwelling Residential 5,000)

**Case Type:** AD (Adjustment Review – 5 concurrent adjustments)

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

### **Proposal:**

The applicants are proposing to deconstruct an existing approximately 390 square foot, attached, single-car garage and replace it with a structure with the same size and in the same

location, but increasing the height from 7 feet – 4 inches to 10 feet in order to allow the low, flood-prone structure to drain.

The Portland Zoning Code requires that structures be set back a minimum of 10 feet from the front lot line and 5 feet from the side lot line in this zone (Section 33.110.220; Table 110-3). Additionally, garage entrances must be set back a minimum of 18 feet from the front lot line. The proposed garage will be 0-feet from the front and side lot lines in the same location of the existing garage; therefore, an Adjustment is required for each of these setback reductions.

The Portland Zoning Code also requires that the length of the garage wall facing the street be no more than 50 percent of the length of the street-facing building façade *and* that a street-facing garage wall be no closer to the street than the longest street-facing wall of the dwelling unit (Section 33.110.253). The length of proposed garage wall facing the street is 15 feet – 1.5 inches, which is more than 50 percent of the length of the street-facing building façade (13 feet). The garage will be approximately 18 feet closer to the street than the longest street-facing wall of the dwelling unit. Approval through additional Adjustment Reviews is therefore necessary.

To summarize, the applicant is proposing to reconstruct a garage which requires five (5) Adjustments:

1. To reduce the minimum front setback from 10 feet to 0 feet;
2. To reduce the minimum side setback from 5 feet to 0 feet;
3. To reduce the minimum garage entrance setback from 18-feet to 0-feet; and
4. To increase the length of the garage wall facing the street from a maximum of 50 percent of the length of the street-facing building façade to approximately 58 percent (15 feet – 1.5 inches); and
5. To allow the street facing garage wall to be approximately 26-feet closer to the street than the longest street-facing wall of the house.

#### **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)*
- 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 23, 2017 and determined to be complete on March 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.

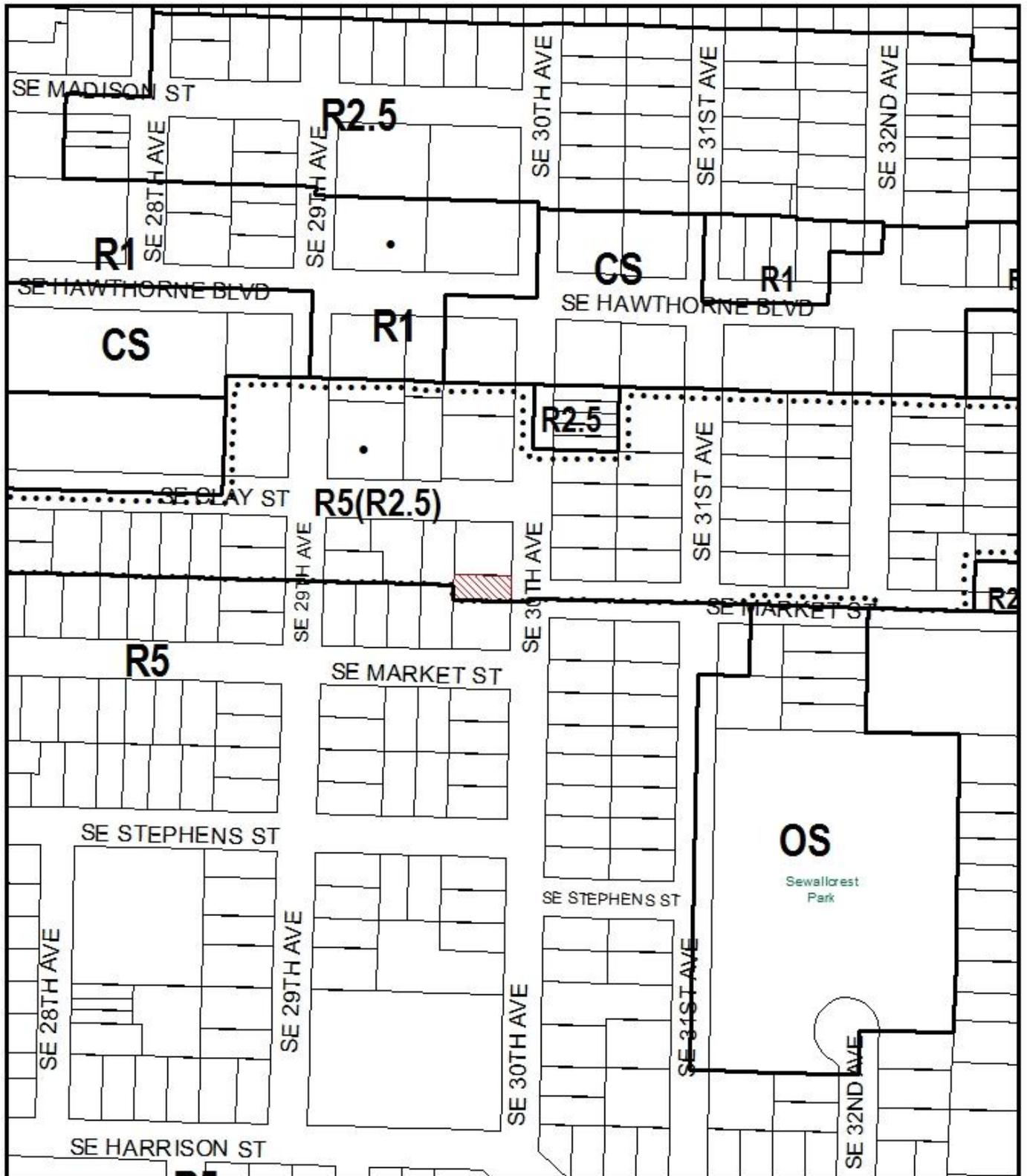
#### **APPEAL OF THE FINAL CITY DECISION**

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  
Elevation Drawing



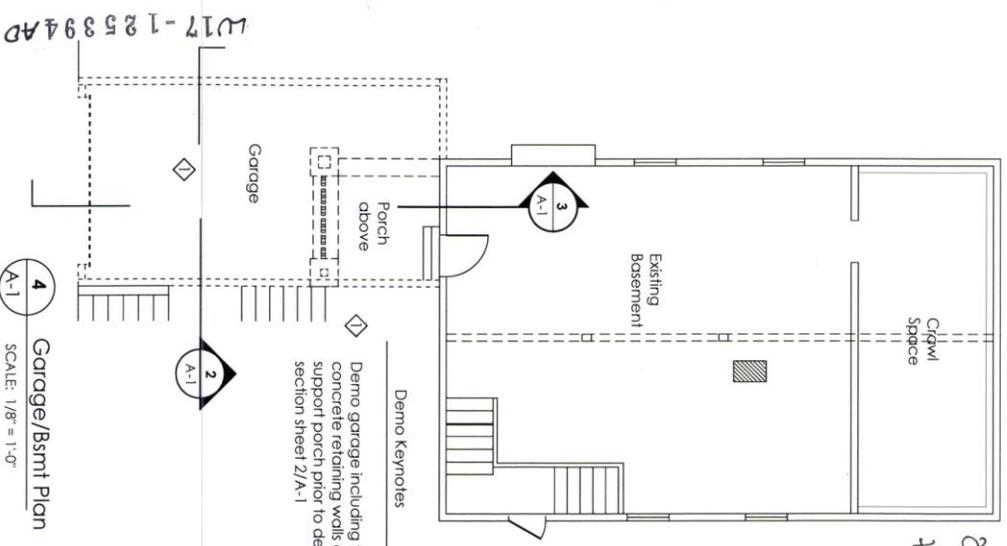
# ZONING

-  Site
-  Historic Landmark

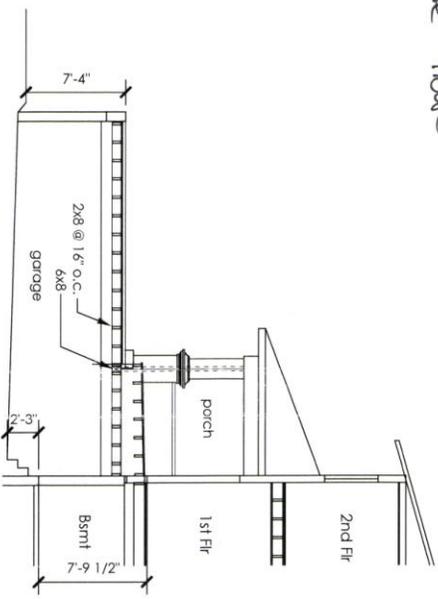


File No.	<u>LU 17-125394 AD</u>
1/4 Section	<u>3233</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E01CA 7900</u>
Exhibit	<u>B</u> (Feb 27, 2017)

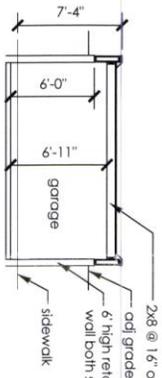
- 5 Adjustments requested to rebuild attached garage: 1. Reduce min front setback from 10' to 0'; 2. Reduce min side setback from 5' to 0'; 3. Reduce min garage entrance setback from 18' to 0'; 4. Increase length of garage wall facing street to 15'-1.5"; 5. Allow street-facing garage wall to be approx. 26' closer to street than longest street-facing wall of the house



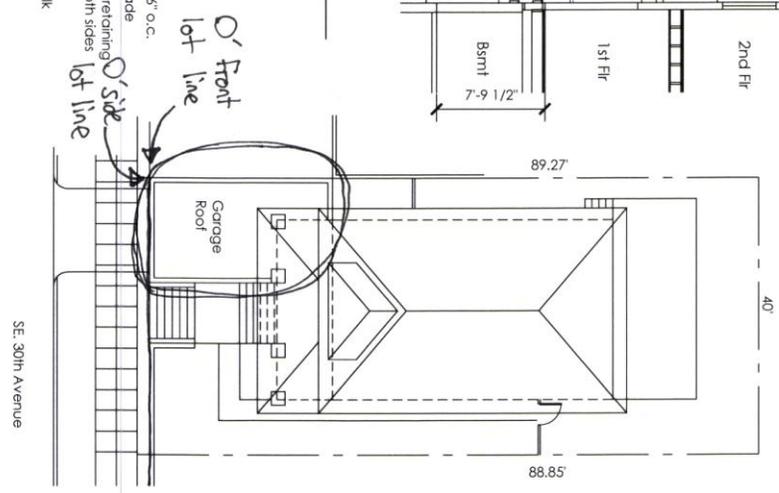
4 Garage/Bsmt Plan  
SCALE: 1/8" = 1'-0"



3 E/W Section  
SCALE: 1/8" = 1'-0"



2 N/S Section  
SCALE: 1/8" = 1'-0"



1 Site Plan  
SCALE: 1/16" = 1'-0"

**SUSAN RUDLOFF**  
DESIGN  
2635 SW Hume St  
Portland OR 97219  
(503) 358 2316  
rudloff@teleport.com

**PROJECT TEAM**  
**Owner:**  
Ron Stich  
1623 SE 30th Ave.  
Portland, OR 97

**Designer:**  
Susan Rudloff Design  
2635 SW Hume St.  
Portland, OR 97219  
Attn: Susan Rudloff  
503-358-2316  
rudloff@teleport.com

**SHEET INDEX:**

A-1 Garage Demo

Hawthorne Garage Demo  
1623 SE 30th Ave., Portland, OR 97214

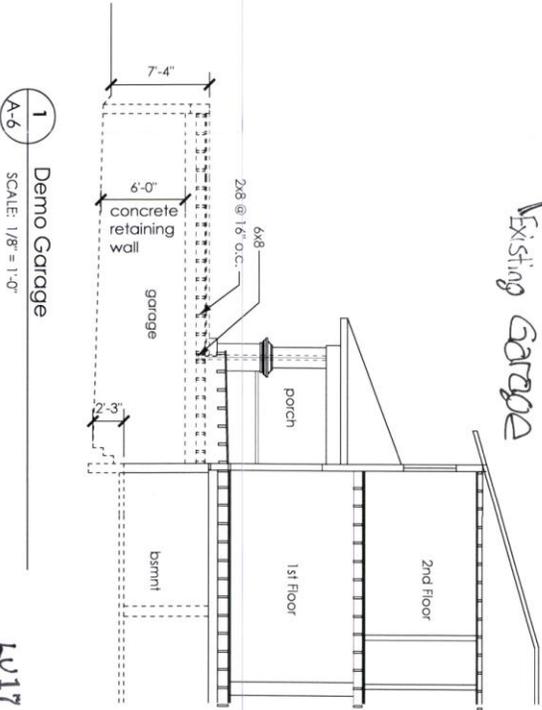
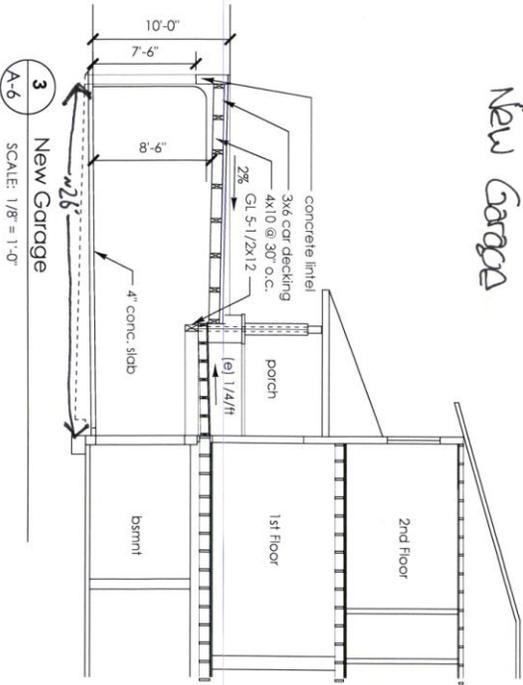
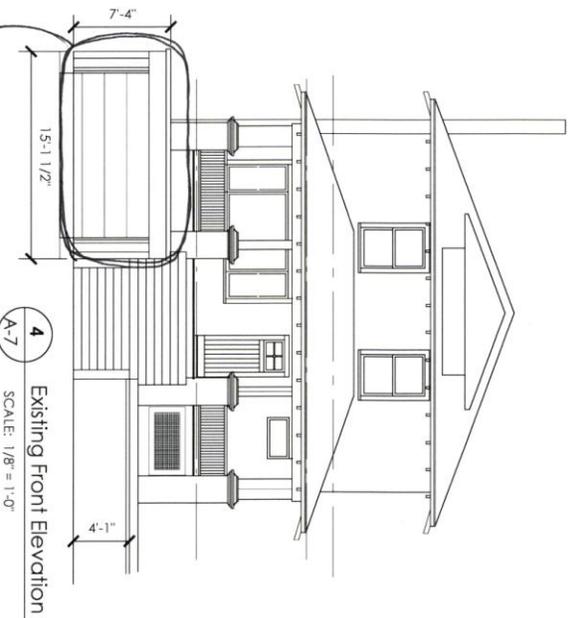
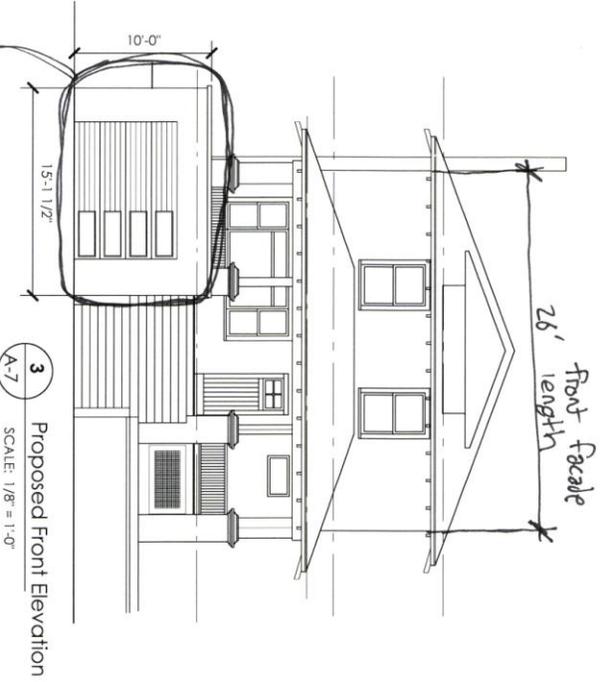
9.8.16
Garage Demo

**A-1**

11/23/16

W17-125394AD

**SUSAN RUDLOFF**  
 DESIGN  
 2635 SW Hume St  
 Portland, OR 97216  
 (503) 558 2316  
 rudloff@teleport.com



Hawthorne Remodel  
 1623 SE 30th Ave., Portland, OR 97214

9.8.16
Land Use Application
<b>A-1</b>

LU17-125394AD

2/8/17