



**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:** April 18, 2017  
**To:** Interested Person  
**From:** Sean Williams, Land Use Services  
503-823-7612/Sean.Williams@portlandoregon.gov

**NOTICE OF A REVISED TYPE II PROPOSAL IN YOUR NEIGHBORHOOD**

***A revised notice is being provided as the applicant has requested an additional Adjustment review, which is identified in the proposal description, below.***

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 May 9, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-283866 AD, in your letter. It also is helpful to address your letter to me, Sean Williams. You can also e-mail your comments to me at my e-mail address identified above.

**CASE FILE NUMBER: LU 16-283866 AD**

**Applicant:** Dan Williams  
Faster Permits  
14334 NW Eagleridge Lane  
Portland, OR 97229

**Owner(s):** Holman Street Condos LLC  
3330 NW Yeon Avenue, #100  
Portland, OR 97210-1531

Paige Jarmer  
1532 N Holman Street  
Portland, OR 97217

**Site Address:** 1526/1532 N Holman Street

**Legal Description:** ROSALIND ADD, BLOCK 6, LOT 3 AND 4

**Tax Account No.:** R259180, R666051

**State ID No.:** 1N1E16DA 9501, 1N1E16DA 9500

**Quarter Section:** 2428

**Neighborhood:** Arbor Lodge, contact Nate Young at [alna.nate@gmail.com](mailto:alna.nate@gmail.com).

**Business District:** None

**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

**Plan District:** North Interstate  
**Zoning:** High Density Residential (RH) w/ Design (d) overlay  
**Case Type:** Adjustment (AD)  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

**Proposal:**

The applicant has requested a third adjustment for a 6 unit apartment building (16-132725 CO) to be constructed on 1526 N Holman Street (R666051) due to building code issues related to the adjacent house (1532 N Holman Street) also part of this review. The request is to the east side building setback from 5 to approximately 4.26-feet. The adjustment would allow the apartment building to shift slightly to the east to meet fire separation requirements from the house. The original proposal is listed below:

The applicant is requesting two adjustments in order to facilitate a property line adjustment (16-282822 PR) between the subject properties that will resolve an issue with location of the common property line in relation to the existing house on 1532 N Holman Street. The first adjustment is to allow a reduction in the minimum lot width (33.612.200.B) for 1526 N Holman Street from 70 feet to approximately 49 feet. Note, this lot is currently 50 feet wide but will be moving further out of conformance with this standard.

The second adjustment is to reduce the minimum side setback (33.120.220.B.1) of the existing house (1532 N Holman Street) from 5 feet to approximately .26-.41 feet. The existing house is currently located over the common property line. The proposed property line adjustment and associated adjustments will allow the existing house to be located entirely on its own lot.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of *Title 33*. The relevant criteria are found in **Section 33.805.040.A-F, Approval Criteria of Adjustments**.

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 December 9, 2016 and determined to be complete on February 24, 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