



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

Ted Wheeler, Mayor  
Rebecca Esau, Interim Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** May 9, 2017  
**To:** Interested Person  
**From:** Andrew Gulizia, Land Use Services  
503-823-7010/Andrew.Gulizia@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 May 30, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-147980 AD, in your letter.

Please address your letter to me, Andrew Gulizia. You can also e-mail your comments to me at the e-mail address above. Please note all correspondence received is public record, and may be viewed by the applicant or others.

## **CASE FILE NUMBER: LU 17-147980 AD**

**Applicant/Owner:** Carol Hushman  
7112 SW 52<sup>nd</sup> Ave.  
Portland, OR 97219  
(503) 522-8507  
[chushman@comcast.net](mailto:chushman@comcast.net)

**Site Address:** 7112 SW 52<sup>nd</sup> Ave.

**Legal Description:** BLOCK 4 LOT 5&6, HOFFMANS ADD  
**Tax Account No.:** R393501100  
**State ID No.:** 1S1E19AB 10800  
**Quarter Section:** 3724  
**Neighborhood:** Maplewood, contact Virginia Bowers at 503-823-4592  
**District Coalition:** Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592  
**Zoning:** R7 – Single-Dwelling Residential 7,000  
**Case Type:** AD – Adjustment Review  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee

### **Proposal:**

The applicant proposes to construct a detached accessory dwelling unit (ADU) on this site. The new ADU would be set back 23 feet from the front lot line. Since Zoning Code Section 33.205.040.C.4 requires detached ADUs to be set back at least 40 feet from the front lot line, the applicant is requesting approval of an Adjustment to that requirement.

**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:

- 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 *(not applicable)*
- 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 April 7, 2017, and determined to be complete on May 4, 2017.

**DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and either:

- Approve the proposal;
- Approve the proposal with conditions; or
- 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.

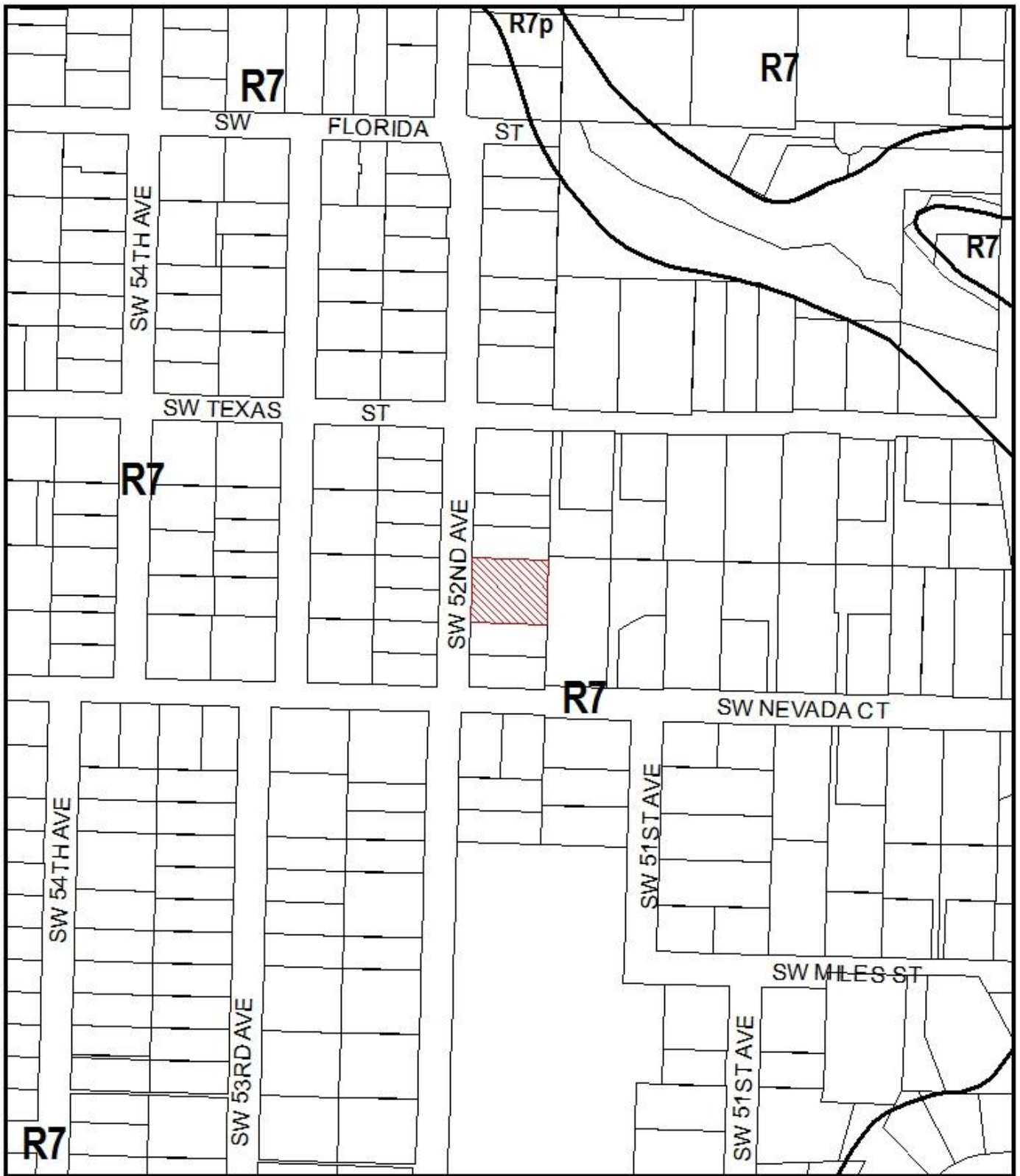
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

**Enclosures:**

Zoning map


Site plan

Building elevations



# ZONING



 Site

File No.	<u>LU 17-147980 AD</u>
1/4 Section	<u>3724</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E19AB 10800</u>
Exhibit	<u>B (Apr 11, 2017)</u>

Path: 3/16/2017 - 1:30pm, N:\PROJECTS\2016\HUSHMAN-52ND AVE-SW-7112.dwg\SCALE.dwg Layout Layout11  
Ln 17-147980 AD

**CENTRALINE CONCEPTS**  
LAND SURVEYING, INC.  
1537 NE KULKA AVE., SUITE 120  
OREGON CITY, OREGON 97043  
PHONE 503.850.0188 FAX 503.850.0189

**SCALE DRAWING**  
7112 S.W. 52ND AVENUE  
MULTNOMAH COUNTY, OREGON  
SCALE 1"=20'

CLIENT: HUSHMAN  
ORIG. DATE: 4/12/2016  
DRAWN BY: MPW  
SHEET NO. 1 OF 1

**LEGEND:**

- EVERGREEN TREE
- DECIDUOUS TREE



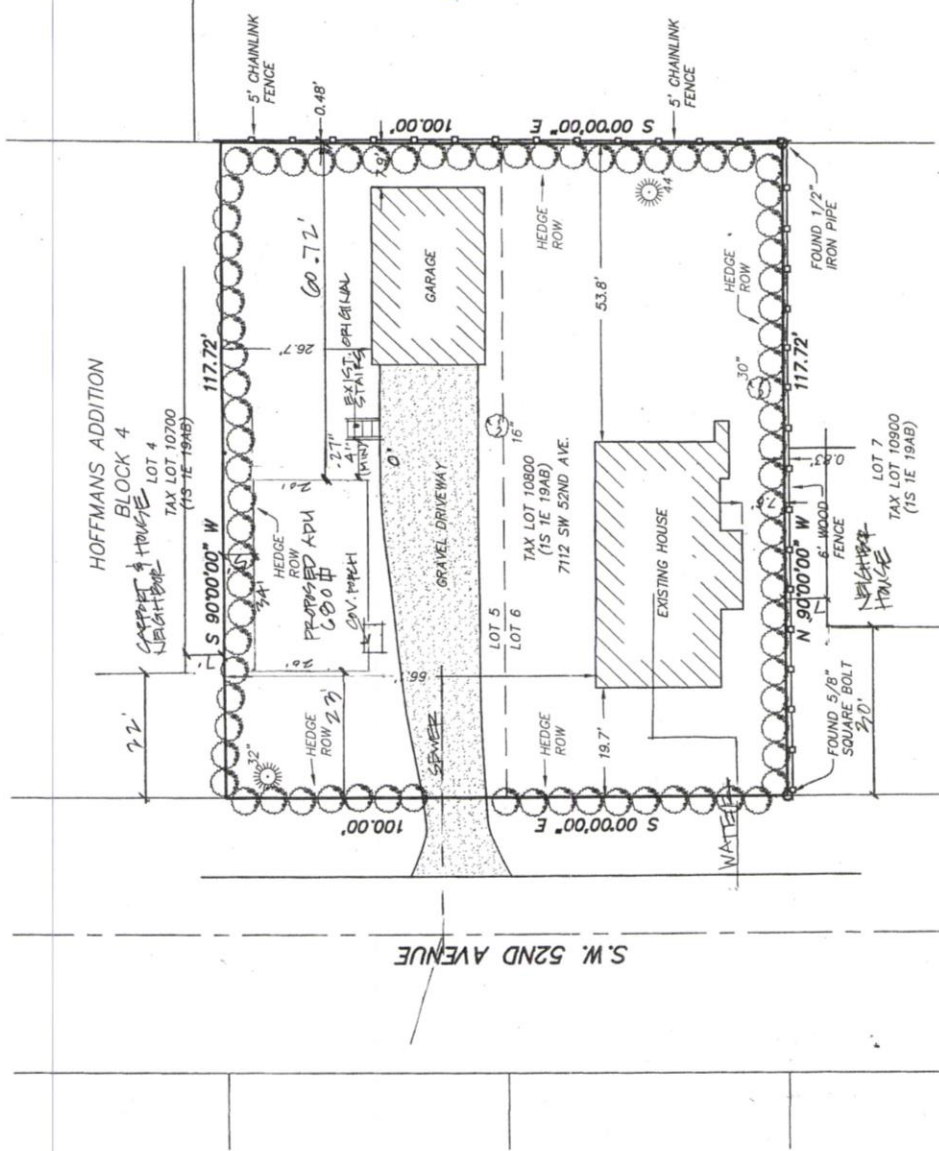
SIGNED ON: 16 MAR 17  
**REGISTERED PROFESSIONAL LAND SURVEYOR**

OREGON  
JULY 13, 2004  
**TOBY G. BOLDEN**  
60377LS

RENEWS: DECEMBER 31, 2017

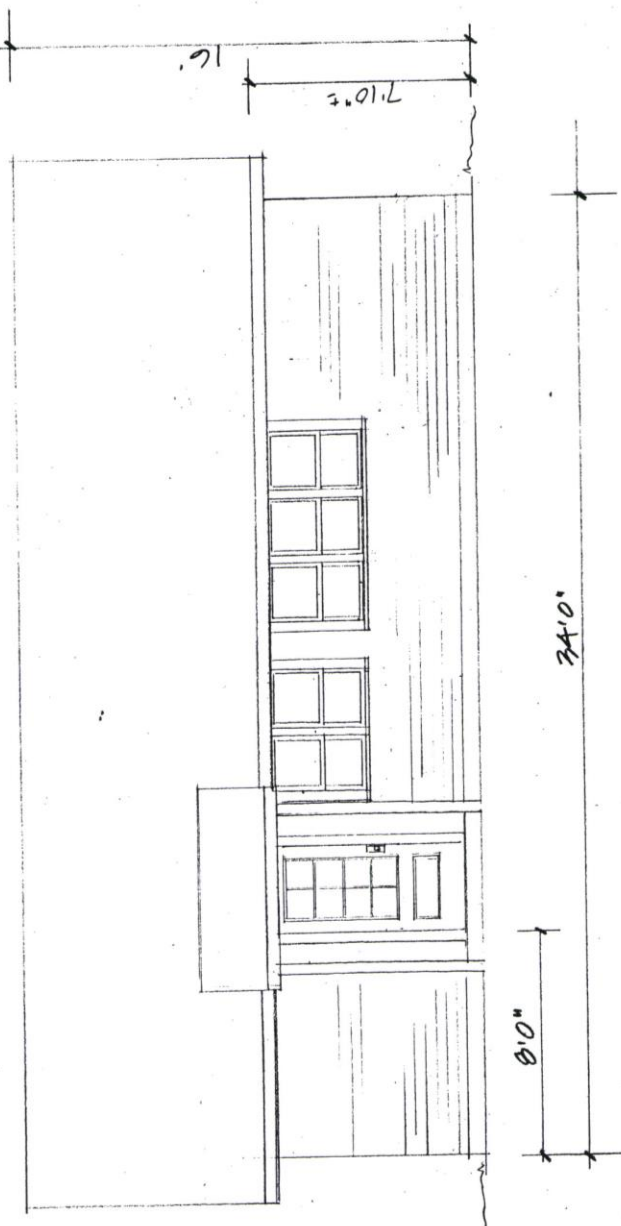
RECEIVED  
MAY 04 2017

3 May 2017



LM 17147980 AD

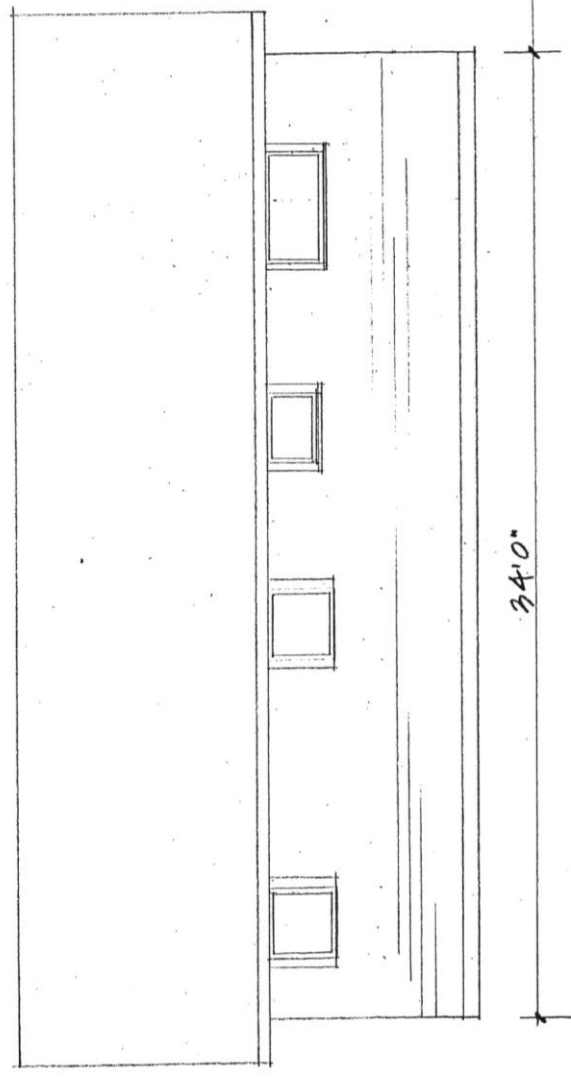
REVISIONS:  DATE: 16 FEB 2017	CLIENT: Bill & Carol Hushman 7112 SW 52nd Avenue Portland OR 97219 SHEET: FRONT ELEVATION (SOUTH)	503-789-2770 LAKE OSWEGO OR 97034 BONNIE WILSON HAROLD 1705 FERN PLACE	SHEET 4/6
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SOUTH ELEVATION (FRONT)  
 1/4" = 1'0"

LU 17-147980 AD

CLIENT: Bill & Carol Hushman 7112 SW 52nd Avenue Portland OR 97219	SHEET: NORTH SIDE ELEV.	503-789-2770 LAKE OSWEGO OR 97034	bwh design BONNIE WILSON HAROLD 1705 FERN PLACE
DATE: 28 March 2017	REVISIONS:		SHEET 6/5



NORTH SIDE ELEVATION (REAR)  
1/4" = 1'0"

LA 17-147980 AD

REVISIONS:

DATE: 17 FEB 2017

CLIENT: Bill & Carol Hushman  
7112 SW 52nd Avenue  
Portland OR 97219  
SHEET: EAST & WEST SIDE  
ELEVATIONS

· bwh·design  
BONNIE WILSON HAROLD  
705 FERN PLACE  
LAKE OSWEGO OR 97034  
503-789-2770

SHEET  
6/9

RECEIVED  
MAY 04 2017

