



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

Chloe Eudaly, Commissioner  
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:** June 30, 2017  
**To:** Interested Person  
**From:** Mark Moffett, City Planner  
503-823-7806/mark.moffett@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 Friday July 21<sup>st</sup>, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-170198 CU, in your letter. It also is helpful to address your letter to me, Mark Moffett. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 17-170198 CU**

**Applicant/Operator:** Kristy Olsen 503-484-4913, [Krijkee@gmail.com](mailto:Krijkee@gmail.com)  
3922 SE 66th Ave.  
Portland, OR 97206

**Property Owners:** Dustin and Kristy Olsen  
3922 SE 66th Ave.  
Portland, OR 97206

**Site Address:** 3922 SE 66TH AVE

**Legal Description:** BLOCK 6 LOT 14, LAURELWOOD PK  
**Tax Account No.:** R480801690  
**State ID No.:** 1S2E08CB 22900  
**Quarter Section:** 3437

**Neighborhood:** Foster-Powell, contact Shawn Morgan at 503-622-3933.  
**Business District:** Eighty-Second Ave of Roses Business Association, contact Nancy Chapin at [nchapin@tsgpdx.com](mailto:nchapin@tsgpdx.com)  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Zoning:** **R5a** (Single-Dwelling Residential 5,000 base zone with “a” or Alternative Design Density overlay zone)

**Case Type:** **CU** (Conditional Use Review)  
**Procedure:** **Type II**, an administrative decision with appeal to the Hearings Officer.

**PROPOSAL:** The applicant was issued a Type A Accessory Short-Term Rental (ASTR) permit for two bedrooms of the house at 3922 SE 16<sup>th</sup> Avenue in September, 2015. The house is a newer two-story structure with four bedrooms built in 2013, and includes a fenced rear yard with detached garage off the alley. At the present time the applicant seeks to turn the facility into a four bedroom Type B ASTR, which requires prior approval through a Conditional Use Review. Because no commercial meetings (weddings, events, conferences, etc.) are proposed, the request for the four bedroom Type B ASTR is processed as a Type II application (33.207.050.A.2).

No exterior alterations to the structures, site work or landscaping are proposed. As noted above, no commercial meetings or other large events are proposed. The house rules will require quiet time between 10:00 PM and 9:00 AM. The applicant states that they will be on-call for emergencies that arise, and that the grounds and sidewalk will be maintained for litter. The house rules also state no parties are allowed. The applicant states that there will be a maximum of 9 guests at any one time, and that all bedrooms have functioning smoke detectors and carbon monoxide alarms. No nonresident employees are proposed, no alcohol or food will be served to guests, and a guest log book will be maintained. A traffic study and applicant narrative has been submitted, along with drawings showing the existing house and site.

**RELEVANT APPROVAL CRITERIA:** In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found at **33.815.105.A-E**:

### **33.815.105 Institutional and Other Uses in R Zones**

These approval criteria apply to all conditional uses in R zones except those specifically listed in sections below. The approval criteria allow institutions and other non-Household Living uses in a residential zone that maintain or do not significantly conflict with the appearance and function of residential areas. The approval criteria are:

- A. Proportion of Household Living uses.** The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:
  - 1. The number, size, and location of other uses not in the Household Living category in the residential area; and
  - 2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.
- B. Physical compatibility.**
  - 1. The proposal will preserve any City-designated scenic resources; and
  - 2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, tree preservation, and landscaping; or
  - 3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, tree preservation, and other design features.
- C. Livability.** The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:
  - 1. Noise, glare from lights, late-night operations, odors, and litter; and
  - 2. Privacy and safety issues.
- D. Public services.**
  - 1. The proposal is supportive of the street designations of the Transportation Element of the Comprehensive Plan;

2. The transportation system is capable of supporting the proposal in addition to the existing uses in the area. Evaluation factors include street capacity, level of service, and other performance measures; access to arterials; connectivity; transit availability; on-street parking impacts; access restrictions; neighborhood impacts; impacts on pedestrian, bicycle, and transit circulation; safety for all modes; and adequate transportation demand management strategies;
3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.

**E. Area plans.** The proposal is consistent with any area plans adopted by the City Council as part of the Comprehensive Plan, such as neighborhood or community plans.

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 May 11, 2017 and determined to be complete on June 26, 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 Hearings Officer. 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.

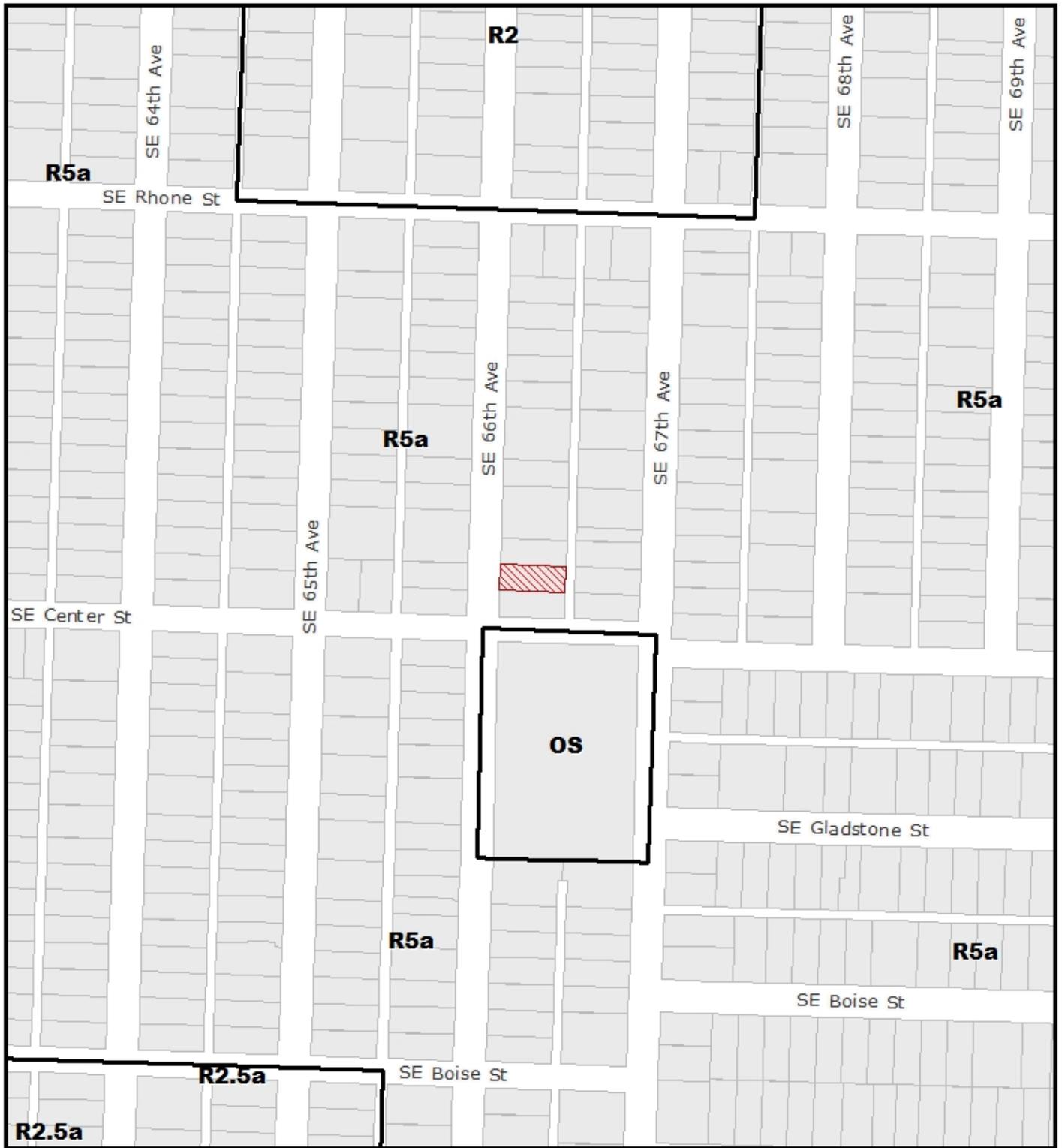
There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

**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, Floor Plans



**ZONING**   
NORTH

 Site

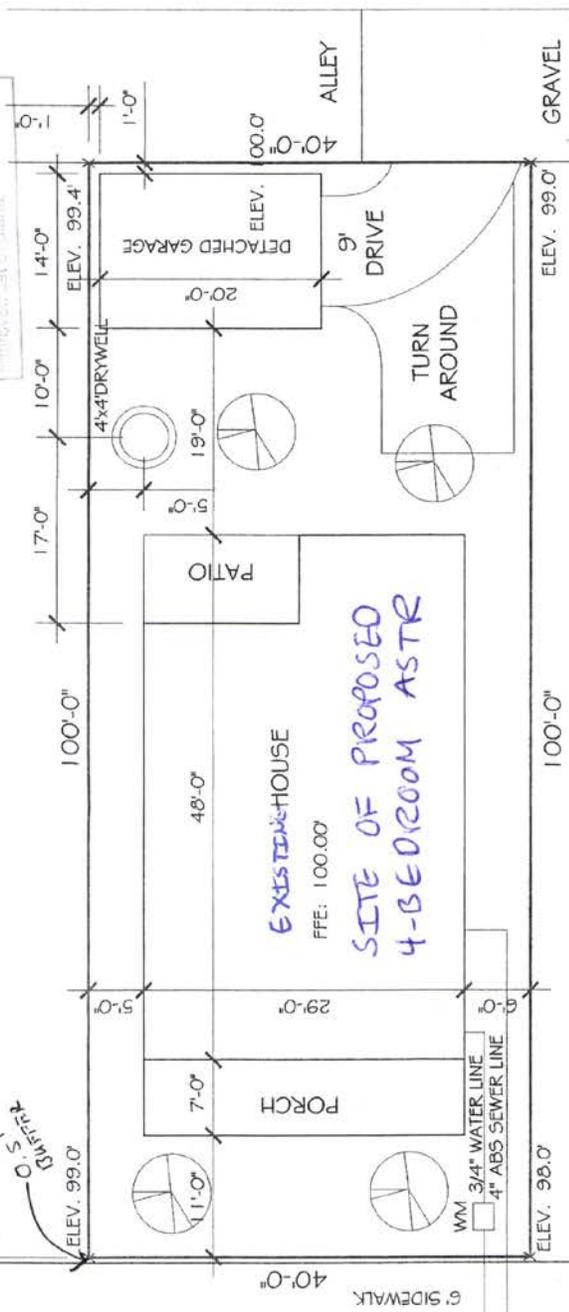
File No.	<u>LU 17-170198 CU</u>
1/4 Section	<u>3437</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1S2E08CB 22900</u>
Exhibit	<u>B May 16, 2017</u>

SEE SEPARATE PERMIT  
8419  
FOR INFORMATION ON PUBLIC  
RIGHT-OF-WAY IMPROVEMENTS

WORK IN  
PUBLIC RIGHT-OF-WAY IS  
NOT APPROVED AS PART OF  
THIS BUILDING PERMIT

Two street trees  
to remain & existing  
or replant 2 1/2 ft list

BES STORMWATER FACILITY INSPECTION  
REQUIRED AT TIME OF CONSTRUCTION. SEE  
GREEN BES INSPECTION CARD. To schedule, contact  
the automated inspection request (IVR) system at 503-823-7000 and request inspection #487 BES Onsite  
Stormwater Facility Eval - OR - You may also contact our  
office directly at 503-823-2059.



BY: [Signature]  
DATE: 10/25/13

SCALE: 1" = 10'

ADDRESS:  
2922 SE 66TH AVE.  
PORTLAND, OR. 97206  
LEGAL:  
LAURELWOOD PARK BLOCK 6, LOT 14

LOT AREA: 4,000 SQ. FT.  
BUILDING AREAS:  
HOUSE: 1,280 SQ. FT.  
PORCH: 232 SQ. FT.  
TOTAL: 1,512 SQ. FT.

IMPERVIOUS AREAS:  
HOUSE AND PORCHES: 1,595 SQ. FT.  
GARAGE: 280 SQ. FT.  
TOTAL: 1,875 SQ. FT.  
PERCENT COVERAGE: 46.87%



S.E. CENTER ST.

ALLEY ENTRANCE FROM S.E. CENTER  
TO BE CONSTRUCTED ACCORDING  
TO RIGHT OF WAY PERMIT

BDS COMBINATION INSPECTOR APPROVAL REQUIRED  
FOR DOWNSPOUTS AND PRIVATE STORMWATER  
PIPING OUTSIDE OF STORM FACILITIES.

M 8910CL-117

LU17-170198CU

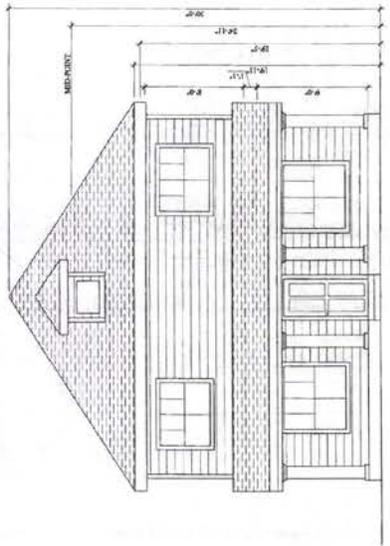
SCAN 19-200449/011-125 9/19

**ELEVATIONS**

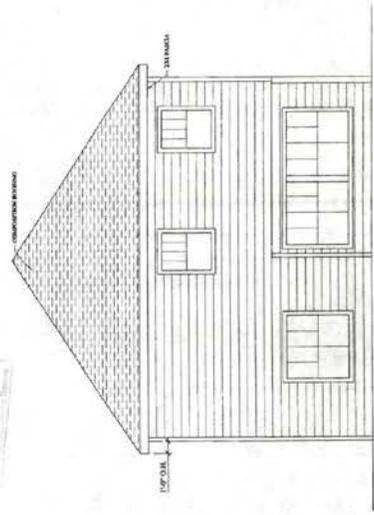
**TIFFANY & SONS**  
 DRAFTING  
 6719 SE 67TH AVE  
 PORTLAND, OR 97206  
 TEL: 503-253-5736  
 FAX: 503-253-5736  
 email: info@tiffanyandsons.com

**CHALIST HOMES**  
 8311 S.E. DIVISION  
 PORTLAND, OR 97266

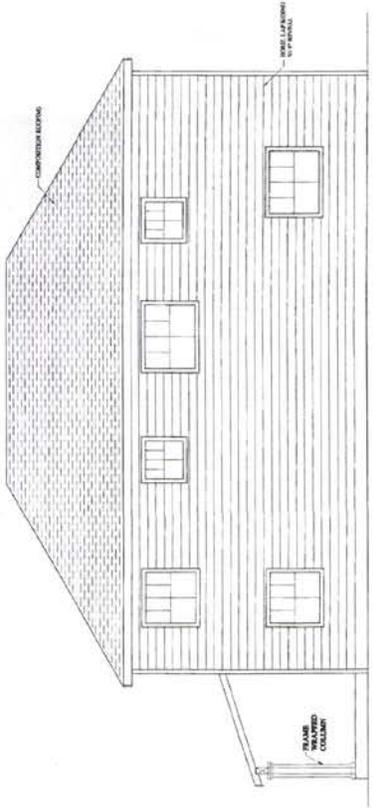
A-1	
1 OF 7	
DATE	09/19/19
BY	AS NOTED
FOR	CHALIST HOMES
PROJECT	6719 SE 67TH AVE
LOCATION	PORTLAND, OR 97206



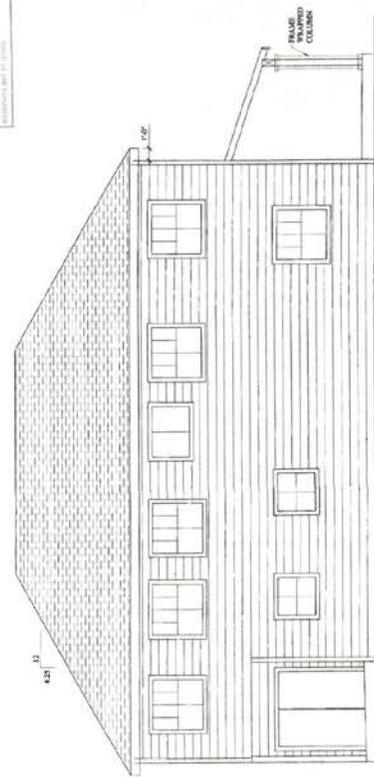
**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"

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LV17-170198CU

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# FLOOR PLANS

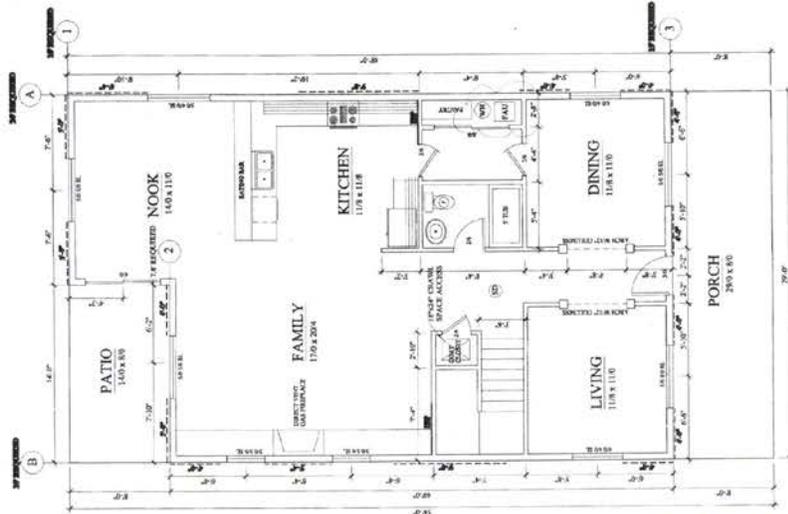
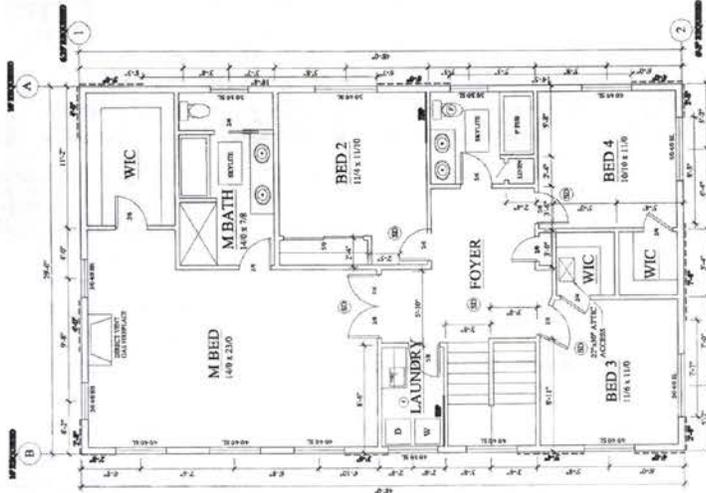
CHATEAU HOMES  
8733 S.E. DIVISION  
PORTLAND, OR 97266  
email: info@chateauhomes.com

TIFFANY & SONS  
DRAFTING  
6710 S.E. 45TH AVE.  
PORTLAND, OR 97266  
PHONE: (503) 228-2978  
FAX: (503) 228-2788

Project No.	2822 S.E. 66TH AVE.
Client	PORTLAND, OR 97266
Sheet No.	AS NOTED
Scale	AS NOTED
Revision	2 OF 7
Drawn By	A-2

- GENERAL NOTES:**
1. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  2. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  3. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  4. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  5. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  6. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  7. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  8. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  9. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  10. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  11. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  12. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  13. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  14. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  15. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  16. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  17. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  18. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  19. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.
  20. ALL INTERIOR WALLS TO BE 5/8" CMU WITH 1/2" GYPSUM BOARD.

Additional eavestry Measures  
Envelope Enhancement - 5  
Construction Measure - A



W17-170198 CW

L17-170198CU