



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

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
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www.portlandoregon.gov/bds

Date: August 28, 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 September 18, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-206252 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 17-206252 AD

Applicant: Phil Sydnor | Integrate Architecture & Planning Inc
1715 N Terry St
Portland, OR 97217
503-312-2561 | Phil@Integratearch.Com

Owner: Nicole and Greg Lightner
2486 NW Kearney St
Portland, OR 97210-3183

Site Address: 2486 NW KEARNEY ST

Legal Description: BLOCK 4 LOT 15&16 TL 15700, KINGS 2ND ADD
Tax Account No.: R452300790
State ID No.: 1N1E33BC 15700
Quarter Section: 2927

Neighborhood: Northwest District, contact John Bradley at 503-313-7574
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Zoning: R1 (Multi-dwelling Residential 1,000)

Case Type: AD (Adjustment Review)
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:

The applicant is proposing to construct a new 476 square foot, detached, two-car garage on the northeast corner of the site, which will be built into the hillside.

The Portland Zoning Code requires that structures be set back a minimum of 3 feet from the front lot line and 5 feet from the side lot line in this zone (Section 33.120.220; Tables 120-3 and 120-4). The proposed garage will be 2 feet – 2 inches from the front (north) lot line and 4 feet from the side (east) lot line; 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 33.120.283). The length of proposed garage wall facing the street is 21 feet – 4 inches, which is more than 50 percent of the length of the street-facing building façade (34 feet – 8 inches). The garage will be approximately 25 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 construct a new garage which requires four (4) Adjustments:

1. To reduce the minimum front (north) setback from 3 feet to 2 feet – 2 inches;
2. To reduce the minimum side (east) setback from 5 feet to 4 feet;
3. 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 62 percent (21 feet – 4 inches); and
4. To allow the street facing garage wall to be approximately 25 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 July 19, 2017 and determined to be complete on August 23, 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.

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.

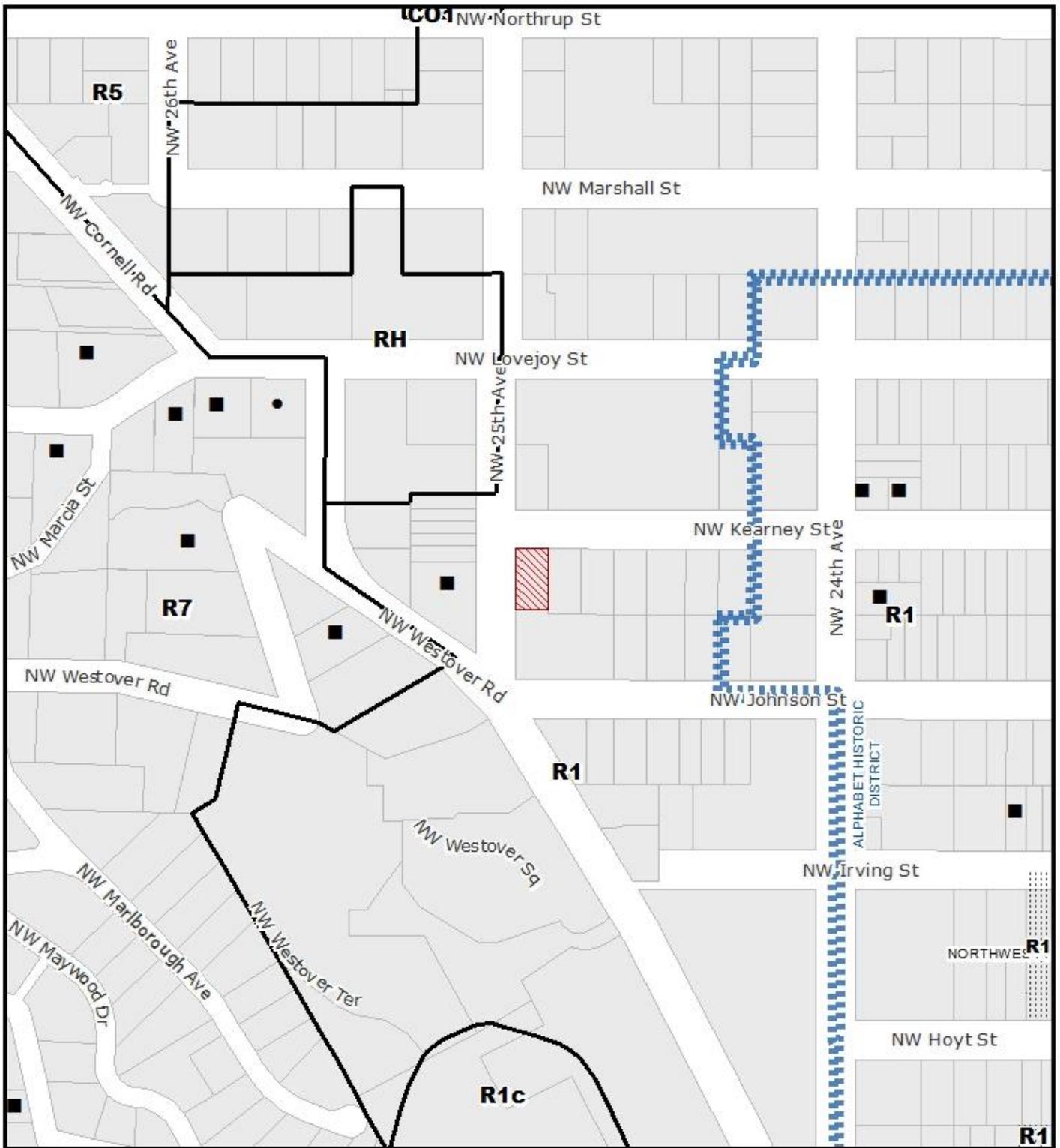
APPEAL OF THE FINAL CITY DECISION

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 Drawings



ZONING



Site



Conservation Landmarks



Historic Landmark

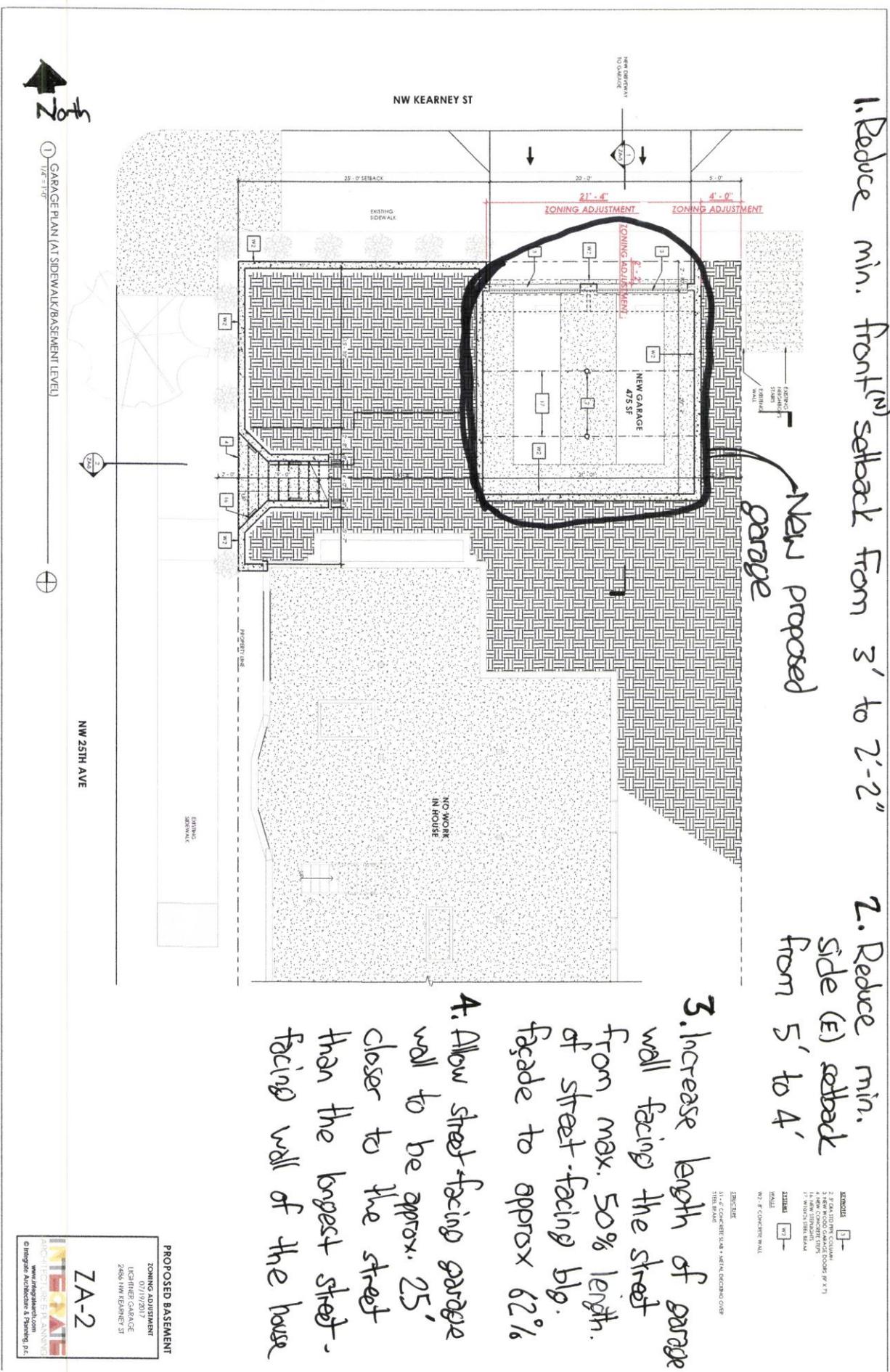
File No.	LU 17-206252 AD
	2927
Scale	1 inch = 200 feet
State ID	1N1E33BC 15700
Exhibit	B Jul 20, 2017

1/4 Section

Four Adjustments requested for a new garage:

1. Reduce min. front^(N) setback from 3' to 2'-2"
2. Reduce min. side (E) setback from 5' to 4'

3. Increase length of garage wall facing the street from max. 50% length of street-facing bldg. facade to approx 62%
4. Allow street-facing garage wall to be approx. 25' closer to the street than the largest street-facing wall of the house



PROPOSED BASEMENT
 ZONING ADJUSTMENT
 07/19/2017
 UCHNER GARAGE
 2486 NW KEARNEY ST
 NW 25th Ave
 ZONE: ZA-2
 www.integratarch.com
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