



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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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: August 29, 2017
To: Interested Person
From: Jason McNeil, Land Use Services
503-823-5398 / Jason.McNeil@portlandoregon.gov

NOTICE OF A TYPE Ix 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 45 days, **we need to receive your written comments by 5 p.m. on September 28, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-137559 LDP, in your letter. It also is helpful to address your letter to me, Jason McNeil. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-137559 LDP

Applicant: Michael Susak | Susak Properties
6663 SW Beaverton-Hillsdale Hwy #194
Portland, OR 97225
503-888-2333 | susakproperties@msn.com

Owner: Danny J. Jones
1724 SE 40th Ave
Portland, OR 97214-5224
dkjones321@comcast.net

Site Address: 8144 SE 86TH AVE

Legal Description: LOT 12, FIR BOUGH ACRES
Tax Account No.: R280900230
State ID No.: 1S2E21CC 00300
Quarter Section: 3839

Neighborhood: Lents, contact Judy Low at pmsi_92@hotmail.com
Business District: Eighty-Second Ave of Roses Business Association, contact Nancy Chapin at nchapin@tsgpdx.com & Lents Business Association, contact lentsgrown@gmail.com.

District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

Plan District: Johnson Creek Basin – South Subdistrict
Zoning: Residential 5,000 (R5) with Alternative Design Density (a) overlay

Case Type: Land Division Partition--LDP
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes a Land Division Partition to divide an 11,350 square foot site into two parcels. Parcel 1, the lot with the existing home, would be 4,589 square feet. Parcel 2 would be a flag lot encompassing 6,607 square feet. The existing driveway will be replaced so that it centers on the flagpole portion of Parcel 2, and access will be shared on a common driveway. A 2-foot-long strip along SE 86th Ave. will be dedicated to the public right-of-way.

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create 2 units of land. Therefore this land division is considered a partition.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are:

- **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**

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 March 20, 2017 and determined to be complete on August 21, 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.
- Deny the proposal.

We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201. There will be no public hearing.

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.

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. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of

the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

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.

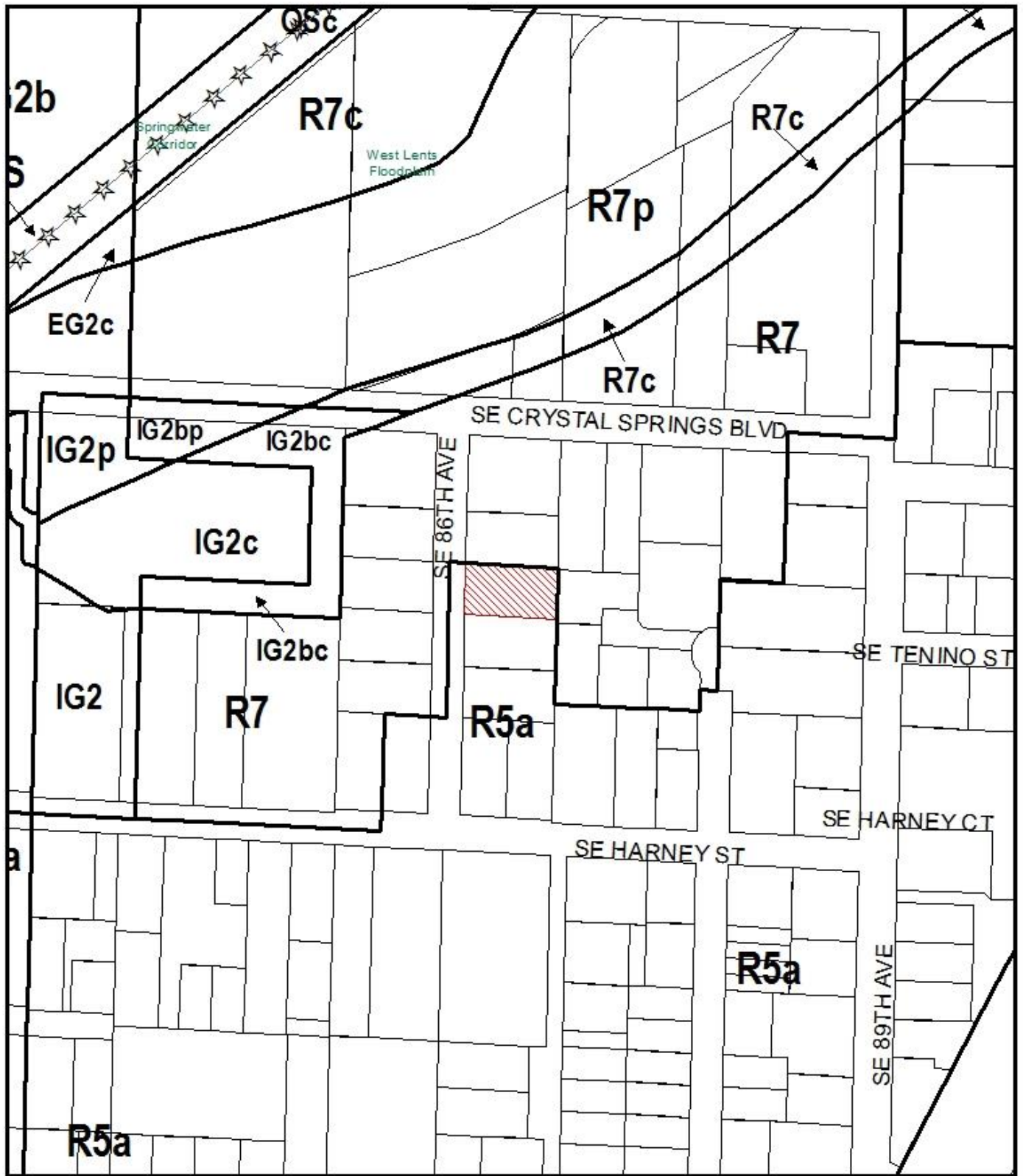
APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may 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



ZONING

 Site

 Recreational Trails



This site lies within the:
JOHN SON CREEK BASIN PLAN DISTRICT
SOUTH SUBDISTRICT

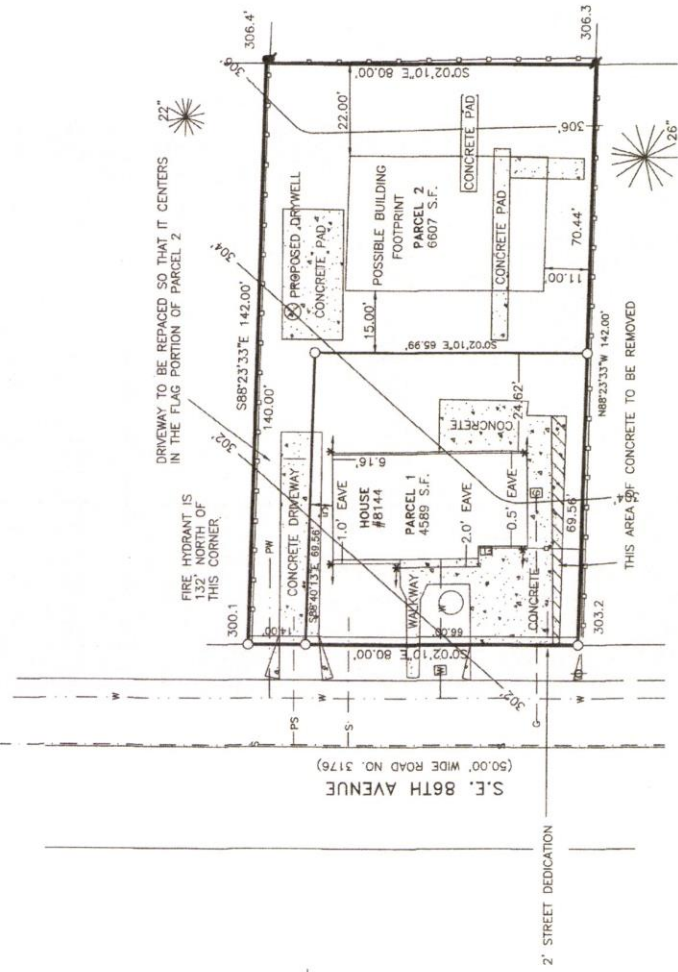
File No.	LU 17-137559 LDP
1/4 Section	3839
Scale	1 inch = 200 feet
State_Id	1S2E21CC 300
Exhibit	B (Mar 23, 2017)



SCALE:
1"=20'

AREAS
TOTAL PARCEL 1 4589
HOUSE INCLUDING EAVES 1262
REMOVING EAVES 326
AFTER DRIVEWAY MOVE
AND SLAB REMOVAL 376

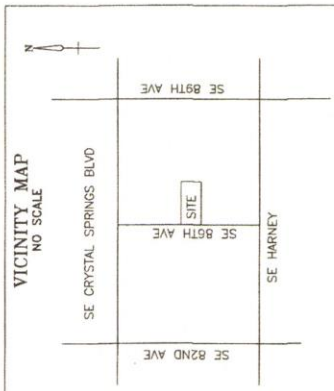
LOT COVERAGE = 49%



- SYMBOLS**
- ⊕ = POWER POLE
 - ⊙ = GUY ANCHOR
 - ⊖ = WATER METER
 - ⊗ = GAS METER
 - ⊞ = ELECTRIC METER
 - ⊠ = WATER VALVE
 - ⊡ = GAS VALVE
 - ⊗ = MANHOLE
 - ⊙ = CLEAN OUT
 - ⊞ = CATCH BASIN
 - ⊠ = FIRE HYDRANT
 - ⊡ = DOWN SPOUTS
 - *EPL = LINE TO CONFIRM
 - W — = WATER LINE
 - C — = GAS LINE
 - E — = ELECTRIC LINE
 - S — = SAN. SEWER
 - ⊙ = DECIDUOUS TREE
 - ⊙ = CONIFER TREE



NOTE: ELEVATION DATUM IS ASSUMED



Ferguson Land Surveying, Inc.
646 SE 106TH AVE, PORTLAND, OR 97216
Phone (503) 408-0601 Fax (503) 408-0602
www.FergusonLandSurveying.com

SITE PLAN
LOT 12 OF "FIR BOUGH ACRES",
LOCATED IN THE SE 1/4 OF SECTION 21, T.15S., R.2E., W.M.,
CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON

CLIENT:
DAN JONES

DATE: MARCH 1, 2017
JOB NO. 07-130
DRAFTED 3.1.2017
REVISED: MARCH 7, 2017 KF
REVISED
SHEET 1 OF 1